

May 24, 2018

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

Your Excellency:

Re: The harassment and intimidation of lawyer Adil Mohamed Al-Imam

I write on behalf of the Law Society of Ontario* to voice our grave concern over the arrest, detention, and charges against lawyer Lirwana Abdourahmane. When serious issues of apparent injustice to lawyers and the judiciary come to our attention, we speak out.

Lirwana Abdourahmane is a member of the Mouvement patriotique pour une citoyenneté responsable (Patriotic Movement for Responsible Citizenship – MPCR), a civil society organization that advocates for consumer rights.

On March 25, 2018, Lirwana Abdourahmane was arrested by security forces in Niamey, Niger, while leaving a television station. He had been invited as a guest to discuss a demonstration which was organized by civil society organizations to demand the repeal of the Finance Act for 2018 (also referred to as the 2018 Finance Law).

On March 23, 2018, the President of the Special Delegation of the City of Niamey prohibited the demonstration for “obvious reasons of security...and with regards to the security context in Niger”. However, earlier that month, a public gathering in support of the Law was permitted.

Lirwana Abdourahmane did not attend the demonstration on March 25, 2018; however, he was arrested and detained nonetheless.

On March 27, 2018, he was charged with “organization and participation in a prohibited demonstration”, “complicity in violence”, “assault” and “destruction” in connection with the peaceful protest. According to reports, 22 protesters were also arrested and charged, following the demonstration.

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The Law Society of Ontario is deeply troubled by Lirwana Abdourahmane's situation and urges Your Excellency to comply with Niger's obligations under international human rights laws, including the United Nations' *Basic Principles on the Role of Lawyers*.

Article 16 of the *Basic Principles on the Role of Lawyers* states:

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, economic or other sanctions for any action taken in accordance with recognized professional duties, standards and ethics.

Article 17 states:

Where the security of lawyers is threatened as a result of discharging their functions, they shall be adequately safeguarded by the authorities.

Article 18 states:

Lawyers shall not be identified with their clients or their clients' causes as a result of discharging their functions.

Furthermore, Article 23 provides:

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.

The Law Society urges the Government of Niger to:

- a. withdraw the charges against Lirwana Abdourahmane immediately and unconditionally;

- b. release Lirwana Abdourahmane, unconditionally, and ensure that he is returned home;
- c. ensure that Lirwana Abdourahmane is not subjected to torture or other ill-treatment, has regular, unrestricted access to his family, lawyers of his choice, and medical care;
- d. guarantee in all circumstances the physical and psychological integrity of Lirwana Abdourahmane;
- e. guarantee that adequate reparation will be provided to Lirwana Abdourahmane if he is found to be a victim of human rights abuses;
- f. put an end to all acts of harassment against lawyers in Niger;
- g. ensure that all lawyers and judges in Niger are adequately safeguarded by the authorities such that they are able to carry out their professional duties and activities free from intimidation, hindrance, harassment, improper interference, the threat of criminalization, or other human rights violations; and
- h. ensure in all circumstances respect for human rights and fundamental freedoms in accordance with international human rights standards and international instruments.

Yours truly,

Paul B. Schabas
Treasurer

**The Law Society of Ontario is the governing body for more than 50,000 lawyers and 8,000 paralegals in the province of Ontario, Canada. The Treasurer is the head of the Law Society.*

The mandate of the Law Society is to govern the legal profession in the public interest by upholding the independence, integrity and honour of the legal profession for the purpose of advancing the cause of justice and the rule of law.

cc:

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