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Permanent Mission of
The Republic of the
SUDAN
To U.N. Office, Geneva

بِسْمِ اللَّهِ الرَّحْمَنِ الرَّحِيمِ



البعثة الدائمة
لجمهورية السودان
جنيف

Ref: N/273/12

The Permanent Mission of the Republic of The Sudan to the United Nations Office and other International Organizations in Geneva presents its compliments to the Office of the United Nations High Commissioner for Human Rights in Geneva, and with reference to the Office's Note Verbale (UA G/SO 218/2 G/SO 214 (3-3-16) G/SO 214 (33-27) G/SO 214 (89-15) G/SO 214 (53-24) Sudan SDN 6/2012, dated on 5th September 2012, regarding communication from Special Procedures: Joint Urgent Appeal, has the honour to enclose herewith the response of the Government of Sudan to the said communication.

The Permanent Mission of the Republic of The Sudan avails itself of this opportunity to renew to the Office of the United Nations High Commissioner for Human Rights the assurances of its highest consideration.



Geneva, 18 September 2012

Office of the High Commissioner for Human Rights
Special Procedures Branch
Fax: 022 917 90 06

Cc: Dr. Mashood Baderin
Independent Expert on the situation of human rights in the Sudan

OHCHR REGISTRY

19 SEP 2012

Recipients:

SPB
S. Lidome (Encl.)
Africa

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With reference to the letter of the Special rapporteurs of UN System regarding the case of Mrs. Layla Ibrahim Issa, we would like to respond as follows:-

- With due respect to the concerns raised by the rapporteurs, we would also like to remind you that, it is a well established principle that domestic available remedies, especially ongoing court cases, need to be exhausted first since it is the prime responsibility of any state to protect its nationals and to act in compliance with its constitution and international obligations.
- He case you raised is at the first instance court, and there are still three different appeals available for the accused, she needs to exhaust before the decision can be final.
- We do not want to remind the rapporteurs that the independence of the Judiciary (a well established international principle and one of the major requirements of the fair trial guarantees and the supremacy of the rule of law) requires that the executive should not intervene in the work of the courts.
- The same issue was also raised before in your letter regarding Sharif Abdalla, where the Court of Appeal dismissed the case.
- We would like to reaffirm that if there are any points of concerns e.g. lack of legal representation, illegally obtained confessionetc, they will be considered by the court of appeal.

Finally, the Sudan Judiciary is a competent, independent institution with qualified and competent judges, who will apply and preserve the rights enshrined in the constitution.