

<p>Permanent Mission of The Republic of the SUDAN To U.N. Office, Geneva</p>	<p>بِسْمِ اللَّهِ الرَّحْمَنِ الرَّحِيمِ</p> 	<p>البعثة الدائمة لجمهورية السودان جنيف</p>
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Ref: N/208/12

Geneva, 26 June 2012

Dear Madam,

With reference to your letter N° UA G/SO 218/2 G/SO 214 (3-3-16) G/SO 214 (33-27) G/SO 214 (53-24) G/SO 214 (89-15) SDN 2/2012, dated 5 June 2012, regarding the case of Ms. Intisar Sharif Abdallah, we would like to convey the following:-

1. Ms. Intisar Sharif was sentenced under article 146 of the Criminal Act 1991 before Ombada General Criminal Court, which is the First Instance Court.
2. According to Sudan Legal System, the convicted still has three levels of appeal before the conviction becomes final.
3. Her case is before a competent Court and there should be no interference at this stage, since an integral part of the fair trial, is the independency of the Judiciary and hence the independency of the courts.
4. From a legal point of view, the following are legal issues that will definitely be considered by the higher courts:
 - a. In crimes punishable by death penalty it is mandatory by law to be represented by a lawyer, and if the accused cannot afford it, the Government should appoint one.
 - b. Coerced admission is not admissible before any court even in Elhudud Crimes.
 - c. There are some contradictory evidence in relation to her age at the time of committing the crime, so if she is less than 18, then there is a Constitutional Precedent that death penalty cannot be applied on anyone under 18 even in Elhudud Crimes.
5. There is a Committee established to review and recommend amendments to the Criminal Act, Criminal Procedure Act, as well as the Evidence Act.

You are kindly requested to take note of this reply, and forward it to Mr. El Hadji Malick Sow, Chair-Rapporteur of the Working Group on Arbitrary Detention, Ms. Kamala Chandrakirana, Chairperson-Rapporteur of the Working Group on the issue of discrimination against women in law and in practice, Ms. Gabriela Knaul, Special Rapporteur on the independence of judges and lawyers, Mr. Christof Heyns, Special Rapporteur on extrajudicial, summary or arbitrary executions, Mr. Juan E. Mendez, Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment, and Ms. Rashida Manjoo, Special Rapporteur on violence against women, its causes and consequences.

While thinking you again for your concerns, Please accept, Madam, the assurance of my highest consideration.



Abdelrahman Dhirar
Ambassador
Permanent Representative

Attn: Ms. Jane Connors
Chief Special Procedures Branch
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