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3 June 2010

Special Rapporteur on the Independence  
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Dear Mme. Gabriela Carina Knaul de Albuquerque e Silva:

The National Association of Criminal Defense Lawyers, an NGO in Special Consultative Status with the Economic and Social Council of the United Nations, respectfully requests an Urgent Action by you on behalf of arrested criminal defense lawyer and law professor, Professor Peter Erlinder.

Professor Erlinder is being detained by the Government of Rwanda. He is a defense attorney at the ICTR, a Professor of Law at William Mitchell College of Law in the United States, and is an internationally respected and honorable criminal defense lawyer. Professor Erlinder went to Kigali this week to represent his client Ms. Victoire Ingabire Umuhoya, (who also is running for President of Rwanda).


The United Nations Basic Principles on the Role of Lawyers requires that 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.<sup>1</sup>


Professor Erlinder's detention, while he was in the performance of his legal responsibilities, is a direct violation of UN Principles and an affront to the Rule of Law. Government intimidation and interference with criminal defense lawyers performing the defense function is unacceptable in all its forms and it fundamentally undermines justice.

Professor Erlinder has a heart condition that is being dangerously exacerbated by this unlawful detention and interrogation. We respectfully request that there be no delay in opening this Urgent Action on behalf of Professor Erlinder.

Very truly yours,



Cynthia Hujar Orr  
President, NACDL



Norman L. Reimer  
Executive Director, NACDL

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<sup>1</sup> Basic Principles on the Role of Lawyers, Eighth United Nations Congress on the Prevention of Crime and the Treatment of Offenders, Havana, U.N. Doc. A/CONF.144/28/Rev.1 at 118 (1990).