

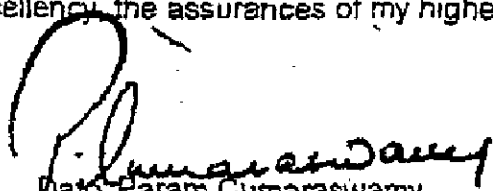
2) I have also received further information concerning Ms. Nelson in relation to her representation of the Garavaghy Road Residents Coalition, a residents group from Portadown who oppose triumphalist marching by the Orange Order through their nationalist housing estate. According to the source, at approximately 3:30 am on 6 July 1997, Ms. Nelson was summoned to Garavaghy Road after the RUC had amassed officers to seal off that area. The source alleges that Ms. Nelson attempted to communicate with an RUC officer but was verbally and physically abused. The source further alleges that an RUC officer spat on Ms. Nelson's face and accused her of being a "Fenian" sympathizer. Ms. Nelson was also allegedly struck on the back of her head with a police riot shield when she intervened on the behalf of a boy who was being ill-treated by an RUC officer. Following these assaults, Ms. Nelson was reportedly bruised throughout her body. According to the source, the RUC's ill-treatment of Ms. Nelson stems from her legal representation of the Garavaghy Road Residents Coalition and her public affirmation of Colin Duffy's innocence.

I am concerned about the allegations thus far received. If true, the alleged acts would substantially impinge upon the independence of Ms. Nelson's profession as a lawyer. In this regard, I would like to refer your Government to the following principles set forth in the United Nations Basic Principles on the Role of Lawyers:

1. "All persons are entitled to call upon the assistance of a lawyer of their choice to protect and establish their rights and to defend them in all stages of criminal proceedings.
16. 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 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.
17. Where the security of lawyers is threatened as a result of discharging their functions, they shall be adequately safeguarded by the authorities.
18. Lawyers shall not be identified with their clients or their clients' causes as a result of discharging their duties."

I would appreciate a response from your Government to the allegations made and the steps taken thereon within the course of the next one month.

Please accept, Excellency, the assurances of my highest consideration.


 Dato Param Cumaraswamy
 Special Rapporteur on the
 Independence of Judges and Lawyers