

منظمة حقوق الإنسان والتنمية
Human Rights and Development Organization
(HUDO)



Update on Blue Nile Trials (5)

The judge trials for Blue Nile incidents' defendants continued at Sinja town in front of Judge/ Abdueilmoneim Younis. The sessions were performed for four fragmented days in accordance with the following details:

22nd July 2013

Case No (5276/2011) defendant/ Gomaa Hamid Mansour

On this session the judge listened to the last accusation witness by it the accusation panel closed their file. Also in same session the court examined the defendant.

Case No. (4325/2011) defendants (the six defendants)

The court examined all defendants except ***Elnour Jackin Jackouni***.

23rd July 2013

Case No. (4325/2011) defendants (THE SIX – names bellow)

The court examined the remained defendant ***Elnour Jackin Jackouni***

Case No. (1716/2011) defendant/ Elsheikh Ali Elnour

The court declared the accusation facing the defendant under article (51) on Criminal Panel Act.

Case No.(4523/2011) defendants/Elsir Aamir Elzaki & Abdalla Elzain Ragab

The court declared the accusation facing them under articles (21 & 51) from Criminal Panel Act, article (6) on Terrorism Combating Act and article (26) from Weapons and Ammunition Law.

Case No. (4086/2011) defendant/ Musa Jahalla Ando

The court declared the accusation facing the defendant under article (51) on Criminal Panel Act and article (6) on Terrorism Combating Act.

Case No. (5276/2011) defendant/ Gomaa Hamid Mansour

The court dismissal the criminal suit and freed the defendant since the evidence doesn't lead to his conviction (article 141/1 Criminal Procedure Act).

❖ **The court declared 30th & 31st July for listening to defense in all cases.**

Case No. (1716/2011) defendant/ Elsheikh Ali Elnour

The court listened to three defense witnesses, then the defense panel closed its defense file.

Case No. (4086) defendant/ Musa Jahalla Ando

The court listened to four defense witnesses.

Case No.(4523/2011) defendants/ Elsir Aamir Elzaki & Abdalla Elzain Ragab

The court listened to one of the defense witnesses.

31st July 2013.

❖ **The court postponed the day sessions to 1st of August 2013.**

1st August 2013

Case No.(4523/2011) defendants/Elsir Aamir Elzaki & Abdalla Elzain Ragab

The court listened to two defense witnesses, and then the defense panel closed its defense file.

Case No. (4086/2011) defendant/ Musa Jahalla Ando

The court listened to two defense witnesses, and then the defense panel closed its defense file.

Case No. (4325/2011) defendants (THE SIX)

The court listened to three defense witnesses, two defending for (*Ali Idriss*) and one for (*Sadam Abass John*).

The defense panel submitted to the court a request to give more time for the remained defense witnesses to make them able attending for their testimony, but the court reject the request and closed the defense file.

❖ **The court declared 19th August 2013 for submitting the pleadings.**

❖ **The court declared 27th August 2013 for judicial charge sentences, in all cases.**

Important Notes:

- The six defendants' names are, *Sadam Abass John / Ali Idriss / Elnour Jackin Jackouni / Ali Tugul Bulaad / Hassan Suliman Mussa / Nabeil Taha Amir*
- The court rejected the request of asking more time to defense witnesses which submitted by the defense panel, because the judge leaned on article (18/B) Terrorism Combating Courts Procedure Rule (TCCPR), and also he leaned on article (21) of the same rule in preventing the appeal to go through except after the judicial sentences declared. Knowing that the defense panel has twenty four defense witnesses were excluded.
- The Terrorism Combating Courts Procedure Rule, it is rules of court issued by head of judiciary under number (82) on year 2008. It used before on Omdurman JEM incidents (LONG ARM), which assist the court to charged most of the defendants by death sentences. This rules of court immediately after issued a group of activist lawyers objected and

they submitted suit against it to the constitutional court, but up to date the constitutional court didn't decided on.

- By releasing *Gomaa Hamid Mansour* it became two innocent persons (the first one is *Elrasheed Eloumda Khougali*) spent more than twenty months in jail, and released without any rights.
- Please you will find (TCCPR) attached (this is the original version in Arabic).

Appeal

HUDO urging to all national and international NGO, UN agencies and all embassies in Sudan to attend the session on 27th of August, which suppose the judge will declare the sentences. Knowing that the TCCPR is present.

HUDO
16 August 2013