



## Update (10)

### COURT TRIAL OF NISS/SUDAN AGAINST PASTORS AND ACTIVIST

The eleventh (11<sup>th</sup>) and twelfth (12<sup>th</sup>) court hearings were held on 14<sup>th</sup> and 21<sup>st</sup> November 2016 respectively. The sessions were before Justice Dr. Osama M. Abdalla and all parties were present. During the eleventh session, the accusing panel was cross examined together with the prosecutor/ investigator. The twelfth session was for the hearing of the plaintiff. The judge adjourned court to 28<sup>th</sup> November 2016.

#### Summary of the court sessions

##### The eleventh session

On 14<sup>th</sup> November 2016 at 12:00 the eleventh (11<sup>th</sup>) session was presided over by Justice Dr. Osama M. Abdalla at Khartoum Centre Court and all parties were present. The accusation panel examined the investigator counsel/ Abdurrahman.

#### Here are some of the questions:

- Do unregistered organizations have a right to perform their activities in Sudan?
- Due to your investigations, what are the objectives of those NGOs?
- How did the first defendant enter Sudan in 2012?
- How did you interrogate the first defendant?
- How is Czech Republic related to this case?
- Who organized the conference and are there any Muslim participants?
- What was the role of the fourth defendant?
- Is there any church that was demolished?
- What is the religion of the third defendant and the burnt student?
- What was the role of the third defendant?

#### The Prosecutor's Response (answers);

- The law prohibits unregistered NGOs and their employees from performing any activities in Sudan.
- These NGOs objective was to encourage the war against state, provoke hatred between the Christian community and the state, support rebels financially and logistically, publishing false news and encourage citizen into rebellion.
- The first defendant entered Sudan through Yida refugee camp in South Sudan to Buram and other areas in Nuba Mountains.
- The interrogation with the first defendant was through an interpreter.
- Czech Republic is not related to this case but its citizen is an accused party.
- The conference was organized by Kamal Fahmey and Edward Daniel (whose name was Alaa before he converted from Islam to Christianity). I didn't investigate whether there were Muslim participants or not.



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- The fourth defendant facilitated the transport of the first and second defendant by his car and driver when they were visiting the burnt student.
- From my investigations, no legal church that existed. What was there was unplanned/ illegal building.
- From my investigations, the third defendant and the burnt student were Muslims but, during the Afraa meeting the third defendant said that he is a Christian.
- The third defendant took the picture/photo of the burnt student and then sent it to the second defendant in Addis Ababa. He is the same person who organized the visit of the first and second defendant to the burnt student. On the recorded audios, he talked about the Christians being oppressed by NISS particularly at Darfur IDPs camps.

## The twelfth session

The twelfth (12<sup>th</sup>) session was presided over by Justice Dr. Osama M. Abdalla at Khartoum Centre Court on 21<sup>st</sup> November 2016 at 12:20 and all parties were present. The session was for the complainant/ NISS to make a statement and it was done by their representative Mr. Abbas Eltahir Anass Ibrahim, 65 years old.

At the start of the session, the prosecutor asked him where he works from and the procedures that were followed in opening this case? The NISS representative delivered his statement as such:

- I work with National Intelligence and security Services (NISS)
- This case is considered as hostile activity against the state and threatens the national and social security. It is an old activity conducted by many enemies of Sudan; some of them are NGOs and other institutions.
- Since 2012 we banished any organizations or individuals working against Sudan but, those NGOs still work and plan to threaten national security and harm the society's interest. Among those individuals who were banished are Fahmey and Daniel who organized the Addis Ababa conference as well as many others who participated in the conference.
- VOM and PPF organizations are against Sudan and they are publishing false reports about Sudan in collaboration with some media houses around the world and particularly USA. The first defendant is partner of PPF founder (Grad Philips).
- On 9<sup>th</sup> December 2015, the first defendant was caught at the airport by NISS members and they found him with some documents, laptop and camera. He was asked by NISS to leave those items and leave the country but he refused. Then they arrested him under the National Security Act. When he was interrogated, he confessed that he owns those items, works with VOM, his partnership with PPF, entered illegally to Nuba Mountains in 2012 and that he was invited to Addis conference by Daniel.
- The first defendant confessed that, he believes Sudan government oppresses the Christians.
- While in detention, the first defendant's phone received two messages:
  - i. The first message was from VOM Czech office declaring the loss of his contact.
  - ii. The second message was from VOM director mentioning that, Peter went to Sudan for special mission under tourism cover and he will be in danger if it's discovered that he works with VOM.



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- The second defendant released a report at the conference containing his activities and the fourth defendant. He also showed the photo of the burnt student. He confessed that, the photo was passed to him by the third defendant.
- The fourth defendant's laptop was found with two messages about the demolished church.
- During the interrogations, the third defendant confessed that, he is one of the UPF founders (SLA-Wahid/ student wing). Also he confessed that, he acts to tarnish the country's and NISS reputation/image.
- Also the complainant representative gave a summary of what happened at the conference and the relation between the defendants (according to him).

At 02:45 pm the judge adjourned court to 28<sup>th</sup> November 2016 for the presentation of the complainant's statement to be continued then.

## Notes;

- The defendants' order: the first is Peter Jasek, the second pastor Hassan, the third Activist Abdelmoneim and the fourth is pastor Kuwa.
- The complainant presented and submitted five documents to the court;
  - Document concerning the first defendant. The defendant's lawyer didn't object.
  - Document concerning the second defendant, it was the burnt student photo. The defendant's lawyer didn't object.
  - Documents concerning the fourth defendant, they were two letters to land authority at Khartoum North requesting them to defer/ postpone demolishing the church. The other document he was ordered by NISS to write it about what was happening in the conference. The defendant's lawyer objected the three documents.
- The defendants' lawyer objected the complainant's representative when he started to evaluate the personal attitude of the defendants and the judge accepted the objection.

## Recommendations/ Appeal

HUDO urges all the concerned, especially:

- The Sudan court to conduct this trial fairly.
- The diplomatic missions and embassies to continue attending the court sessions.
- The activists and defendants' supporters to keep on attending the trial though court has reached the stage of approving or rejecting the accusations.
- The Sudan and international media to give more coverage for the court.

**End**

For any further information please write to ([hudo2009@gmail.com](mailto:hudo2009@gmail.com))