



Update (8)

COURT TRIAL OF NISS/SUDAN AGAINST PASTORS AND ACTIVIST

After postponing the court sessions twice, the ninth (9th) court hearing was held on 3rd November 2016 at 12:00 pm. The hearing was before Justice Dr. Osama M. Abdalla and all parties were present. The prosecutor made his final submissions of the accusations. Thereafter, the judge adjourned court to 7th November 2016 for the defendants' panel to cross examine.

Summary of the court session

Two court sessions of 24th and 31st October 2016 were postponed respectively. On 3rd November 2016 the ninth (9th) session was presided over by Justice Dr. Osama M. Abdalla at Khartoum Centre Court and all parties were present. The investigator counsel/ Abdurrahman concluded his submission and made some recommendations shown below;

- In article (51) of criminal code he said that *"according to complaint testimony and prosecutor's interrogation with the first defendant (Peter), in 2012 while the first defendant was on his visit in South Kordufan, he paid money for some individuals among them SPLA-N soldiers. This was regarded as support for them in waging war against the state. Also the first defendant is working with institutions that are against Sudan government (PPF, POM and Save my people) which are tarnishing Sudan's image internationally"*.
- In article (53) of criminal code he said that; *"because the first defendant entered Sudan under the cover of tourism yet he was investigating on the issue of a student who was burnt and the situation of Christians, this was considered to be a spying operation/ act"*.
- He included article (64) of criminal court because, the first, second (Hassan) and third (Kuwa) defendants attended Addis Ababa conference, in which they presented photos and made speeches alleging that Sudan government oppresses Christians and those who convert from Islam to Christianity. This was considered to be inciting hatred against state and within Muslim and Christian communities.
- He included article (66) of criminal code because the first, second and third defendants gave false information about the student who was burnt. That he was burnt by Sudanese authority for converting to Christianity yet he was burnt in a demonstration and he is still Muslim.
- In article (57) of criminal code; that during the first defendant's interrogation, he acknowledges and the photos approved that South Kordufan is a military area where the war is yet he took pictures.
- In article (30/1) of passports and Immigration Law; the first defendant entered Sudan illegally in 2012.
- In article (23) of Organizing the Voluntary and Humanitarian Activity Act; the first defendant runs activities for unregistered organization in Sudan.



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- In article (21) of criminal Act; the accusations are on the second, third and fourth defendants for joining the first defendant in his activities.

At 02:00 pm the prosecutor/ investigator finalized his presentation and the judge adjourned court to 7th November 2016 for cross examination.

Notes;

- The announcement of the court session was not clear in which most of the defendants' supporters, activist and their families were absent.
- The defendants order particularly the third and fourth changing in the court procedure. HUDO kept the order from the beginning as it was and considered the names during the sessions.
- As a reminder, the prosecutor's accusations are:
 - A. Criminal Act (1991)
 - ☆ Article (21): Joint acts in execution of criminal conspiracy
 - ☆ Article (50): Undermining the constitutional system
 - ☆ Article (51): Waging war against the state
 - ☆ Article (53): Espionage against the country
 - ☆ Article (57): Entering and photographing military areas and works
 - ☆ Article (64): Provoking hatred against or amongst sects
 - ☆ Article (66): Publication of false news
 - B. Passports and Immigration Law
 - ☆ Article (30/1): penetration/ crept to Sudan
 - C. Organizing the Voluntary and Humanitarian Activity Act
 - ☆ Article (23): running activities for charity organization without license.

Recommendations/ Appeal

- HUDO urges the Sudan court to conduct this trial fairly.
- HUDO urges all the diplomatic missions and embassies to continue attending the court sessions.
- HUDO calls upon the activists and defendants' supporters to keep attending the trial. However, the coming session is critical.
- HUDO calls on Sudanese media to give more coverage for the court.

End

For any further information please write to (hudo2009@gmail.com)