

منظمة حقوق الانسان والتنمية

Human Rights and Development Organization

(HUDO)



Blue Nile Trials

On 6th June 2011 the war started in South Kordufan, which affected the political status between the two partners (SPLM/N and NCP). This cast a dark shadow on Blue Nile state (part of the CPA protocols). On 1st of September there was serious military fighting (conflict) in Blue Nile state. As a result, the president of Sudan dismissed the state governor, replaced him with state military governor and he subsequently declared it a state of emergency under the Emergency Act. This gave the state security authority to exercise arbitral arrests and extrajudicial killing on a big number of civilians accusing them of being affiliated to SPLM/N. This harassment was also extended to the SPLA/N who were provided for (The CPA) in blue Nile state's towns as part of integrated force.

The Sudan government authorities insisted on keeping a hundred and thirteen (113) people under detention for more than a year without any legal procedure. They are jailed in different prisons within Blue Nile and Sinar states. In January 2013 during the independence celebration the government officials declared that these detainees were to be released soon. Later on, towards the end of January, twenty eight (28) detainees were set free. The eighty five (85) detainees who remained, criminal charges/cases were opened against them. In February, the authorities declared (without mentioning any date) that, the judicial trials will be conducted in Sinja town.

Beginning of Judicial Trials (See the table below):

Date of Court Session	Defendant	Attendance				Case Number	Charges			Date of next court Session	Remarks
		Defendant	complainant	Prosecutor	Police Investigator		Weapon & Ammunition	Terrorism Combating	Criminal Panel code		
05.05.2013	Musa Jahalla Ando	Yes	No	No	No			5 & 6	130	20.05.2013	Arrested on 09.09.2011
06.05.2013	Elsir Aamir Elzaki	Yes	No	No	No	4523/2011	26	5 & 6	50, 51, 186, 187,	21.05.2013	Join Case

	Abdalla Elzain Ragab	Yes							189, 191, 21, 24		
06.05.2013	Elrasheed Eloumda	No	No	No	No	5028/2011	26	5 & 6	50, 51, 186, 187, 189, 191	20.05.2013	
06.05.2013	Gomaa Hamid Mansour	No	No	No	No	5276/2011			50, 51, 186, 187, 189, 191	21.05.2013	Arrested on 11.10.2011
06.05.2013	Elsheikh Ali Elnour	No	No	No	No	1716/2011			51, 186, 187, 189, 191	21.05.2013	
	Other 79 Defendants	No	No	No	No	4176/2011	26	5 & 6	21, 24, 50, 130, 139, 186, 187, 188, 189, 191	The judge declared he will mention a date for their session	

Note:

1. All court sessions headed by General court judge: Abdueilmoneim (Head of Eldindir town general court).
2. Record absence of complainant, prosecutor and police investigator. The judge issued announcement to them for the next sessions on 20th - 21st.05.2013.
3. Nuba Bar Association together with lawyers from Sudan Association for Freedom and Rights are representing the defendants.
4. The court session conducted under serious security surveillance.
5. Sinja town where the court session is conducted, is a capital of Sinar state. Sinja town lay on the shore of Blue Nile 200 km north Eldamazeen (Blue Nile state capital), and 400 km south Khartoum (Sudan capital).
6. On 8th May 2013, Ministry of Justice held a press conference in Khartoum. The consultant/ Mohammed Fareed (supervisor consultant of the special prosecutor unit which held this cases) declared the court session started on 6th May at Sinja town for those 85 accused, and Malek Agaar (head of SPLM/N) and Yassir Armaan (General secretary of SPLM/N) will be charged in absentia during this trial.
7. All the case numbers reflected were opened in year 2011, which can explain one of the two;
 - A. They put back date for it.
 - B. Or it opened at that time and denied for the lawyers.
8. All the accused were arrested between September and October 2011.
9. The date in this report are (DD.MM.YY).
10. The Sudanese Laws mentioned on table are:

- Criminal Panel Code (1991)
- Terrorism Combating Act (2001)
- Weapon and Ammunitions Act (1986)

11. Abbreviations:

- NCP: National Congress Party (Sudan ruling party).
SPLM/N: Sudan People Liberation Movement/ North. SPLA/N: Sudan People Liberation Army/ North
- CPA: Comprehensive Peace Agreement (signed in 2005 between NCP & SPLM/A).

Appeal

Given what is indicated above, the direction this trial is taking seems to be un-fair to the accused and is not upholding the international judicial standard procedures. **HUDO** is therefore appealing to all national and international human rights organizations, embassies, media houses, freedom activists and development partners to urge the Sudan government to conduct a transparent and fair trial and even attend the court sessions.

HUDO

27th of May 2013