

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



Update on Blue Nile Trials (6)

On 27th August, 2013, there were four hearings of the Blue Nile detainees at Blue Nile Incident Court in Sinja town. Three cases were closed up and judiciary orders have been released as detailed below. However, the fourth case was postponed to 17th Sep. 2013. Sentences were based on the following alleged acquisitions:

Case No. (4086/2011) Defendant/ Mr. Mussa Jahalla Ando

Was said to be found guilty of:

- Criminal Panel Code (article: 51). sentences for four years in jail
- Terrorism Combating Act (article: 6). jailed with three years.

The two penalties will run sequentially after reducing the period spent in custody (he was arrested on ninth of September 2011)

- The judge ordered to free the confiscated defendant's car

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

They were found guilty of:

- Criminal Panel Code (article: 21). No punishment
- Criminal Panel Code (article: 51). Sentenced four years imprisonment.
- Terrorism Combating Act (article: 6) Sentenced three years imprisonment.
- Weapon and Ammunition Law (article: 26). Sentenced two years jail.

The penalties will run sequentially with reducing the period spent in custody.

Case No. (1617/2011) Defendant/ Mr. Elsheikh Ali Elnour

He was released and case is dismissed, as no evidence linked to the alleged acquisitions has been established, therefore was freed unless wanted in other case.

Case No. (4325/2011) Defendants/ Mr. Saddam and others (total six)

For this case a final hearing will be on 17th Sep. 2013

Case No. (4176/2011) Defendants/ (The seventy seven)

The court declared that they will be tried on 17th-18th September. The trial will be conducted at Sinja prison where they are currently detained, due to difficulties in transporting a large number of seventy seven detainees, said the judiciary authority .

Important points:

- All penalties announced will run sequentially, which mean the summation of what the judge declared for each.

- All the defendants spent up to date twenty four months in custody, this period will be subtracted from the whole penalties for each inasmuch as one year equal nine months (Sudan imprisonment system).
- As we mentioned in a previous report the security authorities confiscate defendants' income tools (e.g. taxi). Now after twenty four months, the court ordered the release of Musa Jahalla taxi without being compensated for lost period. Which mean this is kind of economical war and violation extended to his family and kids rights.
- Defendant (Elsheikh) is the third innocent arbitrary detainee that the court ordered his release after twenty four months jailing with no legal grounds.
- All the penalties released seem to reflect that the judge is not fully convinced by the evidence of guiltiness presented !!!
- The defense committee lawyers they has the right to appeal within one week only for appealing court of terrorism combating (article 21 Procedure Rule of Terrorism Combating Courts).
- The six defendants are: ***Sadam Abass John / Ali Idriss / Elnour Jackin Jackouni / Ali Tugul Bulaad / Hassan Suliman Mussa / Nabeil Taha Amir***
- The seventy seven defendants, HUDO will submit their names later.

Appeal

HUDO would like to extend the thanks and gratitude of the victims and their families to all national and international NGOs, embassies, UN agencies and the activist those whom followed the trials sequences and exerted a considerable efforts for their cause, especial thank for the defense committee which consisted from Sudanese Committee for Defense the Rights and Freedom, Nuba Bar Association and some activist lawyers.

This lead us to urge you all continuing support to defense committee, defendants and defendant's families.

HUDO
31st August 2013