



## Update (15)

### COURT TRIAL OF AL-SANADRA CASE

Two court sessions were held on 7<sup>th</sup> and 14<sup>th</sup> March 2018 at Khartoum North court before Justice/ Abdeen Hamid Dhahi. In the session of 7<sup>th</sup> March 2018, the judge finalized questioning of the defendants while the other session the judge delivered the charges preferred against the defendants. The next court session is scheduled for 28<sup>th</sup> March 2018.

#### Summary of 7<sup>th</sup> March court session

On 7<sup>th</sup> March 2018, the session started at 11:00 AM (Sudan local time) at Khartoum North court before Justice/ Abdeen Hamid Dhahi and all parties were present. The judge finalized questioning the remaining defendants. The defendants' response is given below in summary;

The 12<sup>th</sup> Defendant: Abakar Fadelmowla Suliman

- I'm a resident of Al-Abbasiya town.
- I'm a member (Mujahid) of PDF and I was armed with a personal weapon (AK-47 gun).
- On Friday 2<sup>nd</sup> September 2016, I attended the locality meeting called by the State MP where I met Ommda Altahir Mansour and others. I never said that we entered the first camp.
- I had come to the meeting with a motorbike.
- I do not know where Al-Sanadra is and have not been there.
- I do not know and never saw witnesses; Adam Senada or Emam Abdalla also I do not know the deceased person Abdalla Suliman and he never talked to me.
- I know defendants; Hamid Almanzol and the others as PDF members/ MUjahideen.

The 13<sup>th</sup> Defendant: Saleh Joudat Ibrahim Mohammed

- I'm a resident of Al-Abbasiya town.
- I'm a member (Mujahid) of PDF and I was armed with a personal weapon (AK-47 gun).
- I was not among those who attacked Al-Sanadra and I had never been there.
- On Friday 2<sup>nd</sup> Sept. 2016, I was at my house with other people from 07:00 am up to 01:00 pm.
- I know defendants as PDF colleagues.
- I do not know witnesses Hassan Alzaibaq, I have just seen him at this court



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The 14<sup>th</sup> Defendant: Nasreldin Daoud Mohammed Joudat

- I'm a resident of Al-Abbasiya town.
- I'm a member (Mujahid) of PDF and I was armed with AK 47 gun.
- On Friday 2<sup>nd</sup> Sep. 2016, I was coming from travel and I slept after at my house.
- I was not among Al-Sanadra attackers.
- I know in person the defendants; Saleh Joudat, Ahmed Abdelgadir, Abakar Fadelmowla, Hamid Almanzol and the rest by face from the PDF.
- I do not know witness Hassan Alzaibaq and Yousif Ahmed Mukhtar. I had never seen them before.

## Summary of 14<sup>th</sup> March court session

The court session was held on 14<sup>th</sup> March 2018 and began at 11:00 AM (Sudan local time) at Khartoum North court before Justice/ Abdeen Hamid Dhahi. Apart from the prosecutor, all parties were present. During this session, the judge was reading charges preferred against each defendant after hearing the investigator, complainant, accusing witnesses and questioning the defendants:

1. The 1<sup>st</sup> defendant/ Hassan Ismail Ramadan (underage): the court procedure shall continue against him without accusing him yet, any charges against him shall be transferred to the children's court.
2. The rest of the defendants; the court accused them of attacking Al-Sanadra in collaboration with others some in military uniform and others in civilian clothes which caused death of eight civilians and injuring others. This was an act without an official order from authorized institution. They were accused under the following articles in Sudan Criminal penal 1991:
  - Article (21): Join acts in execution of criminal conspiracy
  - Article (130): Murder
  - Article (139): Penalty for causing intentional wounds
  - Article (167): Armed robbery (Hiraba)
  - Article (175): Robbery
3. Then, the judge gave the defendants an opportunity of replying, which was;
  - A. The military's legal consultant Mr. Amir Ghalib, replied as follows:
    - On behalf of the 2<sup>nd</sup> (Ahmed Jazim), 3<sup>rd</sup> (Saied Abdalla Al-Saied) and 4<sup>th</sup> (Ahmed Al-Tayeb Al-Zain) defendants, they are innocent, they are SAF soldiers and they are following official orders yet. They did not reached the incident's area. We will prove that according to the submitted list of the witnesses.



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- On behalf of the 5<sup>th</sup> (Al-sadiq Mohammed Rahma), 8<sup>th</sup> (Alhadi Abdelrahman Ibrahim Almahdi), 9<sup>th</sup> (Ahmed Abdelgadir Salah Mohammed) and 10<sup>th</sup> (Alzaki Saleh Alzaki Mohammed) defendants, they are innocent and they do not have any relation with the incident and we have witnesses in proving that.
- B. The lawyer/ Yousif Gebreil replied on behalf of the 6<sup>th</sup> Defendant (Bardab Mohammed Abakar) and 7<sup>th</sup> defendant (Osman Mohammed Osman) that, they are innocent and they were not among Al-Sanadra attackers and we have witnesses to prove that.
- C. The lawyer/ Shain replied on behalf of the 11<sup>th</sup> (Hamid Almanzol Ahmed), 12<sup>th</sup> (Abakar Fadelmowla Suliman), 13<sup>th</sup> (Saleh Joudat Ibrahim Mohammed) and 14<sup>th</sup> (Saleh Joudat Ibrahim Mohammed) defendants. That they are not guilty and had not been in Al-Sanadra or among the attackers. That there are witnesses to prove that.

At the end of this session, the judge adjourned court to 28<sup>th</sup> March 2018 at 11:00 AM (Sudan local time) for beginning the hearing of the defendants' witnesses.

## Observation Note

- The court had avoided to add Article (5) and (6) in Combat Terrorism Act 2001 which was used before against SPLM-N members in Blue Nile Trials and against JEM members in Long Arm operation in 2008.
- The court also had avoided to use article (186-A: Crimes against humanity) and (188-1/A: War crimes against individuals) of Criminal Penal which were added by Law-15 in 2009...

## Recommendations/ Appeals

HUDO urges all the concerned, especially:

- ❖ The Sudan court to conduct the trial fairly
- ❖ The activists, defenders and supporters to keep on attending court sessions
- ❖ The diplomatic missions and embassies to observe the court sessions
- ❖ The Sudan and international media to give full coverage for the court

**END**

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