



12<sup>th</sup> December 2017

## Update (6)

### **COURT TRIAL OF AL-SANADRA CASE**

The court session was held on Wednesday 6<sup>th</sup> December 2017 at 11:40 AM before Justice/ Abdeen Hamid Dhahi at Khartoum North court. All parties attended except the prosecutors, though one of them joined later. The session's main activities were the investigator's final submission and the cross examination by the lawyers. At the end, the judge announced that the next court session will be on 13th December 2017.

#### **Summary of the court session**

The Court session started at 11:40 AM (Sudan local time) before judge/ Abdeen Hamid Dhahi. In attendance were the investigator, the defendants, the lawyers' panels, the general public and the prosecutor who came late (One and half hours after the session had begun).

#### ***The Investigator's Submission***

In his submission, the investigator/ Mohamed Elamein presented/submitted a medical report approving that, the first defendant/ Hassan Ramadan is 15 years old (under age). The investigator informed court that, the exhibit of four guns /weapons which were handled by the military in Abbasiya after requesting letter from the investigator, belong to the following defendants; Al-sadiq Mohammed Rahma, Alhadi Abdelrahman Ibrahim, Alzaki Saleh Alzaki and Abakar Fadelmowla Suliman.

The investigator informed court that, the case against the escapees; Osman Ebaid Khamees, Musa Mohammed Daoud, Hassan Abduelfadeel and Babikir Nematalla Babikir was separated from the current case (charge sheet). This was because of their disappearance.

According to the investigation and testimonies of witnesses, the investigator recommended to court to charge the defendants under the following articles in Sudan criminal penal 1991:



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- Article (20): Penalty of attempt to commit an offense
- Article (21): Join acts in execution of criminal conspiracy.
- Article (130): Murder.
- Article (139): Penalty for causing intentional wounds.
- Article (175): Robbery.

### ***The cross examination***

The investigator was cross-examined by the accusation panel represented by lawyer/ Baroud Sandal, the first defendant was represented by lawyer/ Abu-Algasim Mohammed, the sixth and seventh defendants were represented by lawyer/ Yousif and the rest of the defendants were represented by the military's legal consultant/ Amein.

The conclusion was as follows:

- The PDF commandant in Al-Abbasiya is Captain/ Ali Babikir and the PDF coordinator is Mohammed Saeed.
- The defendants committed the offence on their own without official order
- According to the witnesses, the defendants were more than thirty people with more than twenty motorbikes and armed with AK-47 guns. But they denied having any motorbikes.
- The killed people were eight (8) in number and the injured were thirteen (13) people. All the injuries and deaths were caused by gun shots.
- All the defendants are from the tribes of Meserya and Falata/ Fulani
- No one among the attackers/ defendants was injured during the incident.
- The defendant Osman was identified by one of the injured people (Ismail Adam Awad) as the one who shot him.
- Witnesses recognized some of the defendants in person.
- The first defendant (juvenile) is not a member in PDF

### **Notes:**

- The victims' family members attended court in large numbers.
- The victims' lawyers questioned the motive of the military in presenting only four (4) guns to court as exhibits while the armed defendants were many. Also, the



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military's intention of submitting the four guns (exhibit) on 30<sup>th</sup> Jan- 2017, one month after receiving the investigator letter on 29<sup>th</sup> Dec. 2016.

- The lawyers of both sides with the court rescheduled to have weekly court sessions on every Wednesday in which the coming session on 13<sup>th</sup> December 2017.

## **Recommendations/ Appeals**

HUDO urges all the concerned, especially:

- The Sudan court to conduct the trial fairly
- The activists and defendants' 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)