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SUDAN | Concerns Arise Over Trial Delays

The trial of Rev. Hassan Abduraheem, Rev. Kuwa Shamal, Petr Jašek and Abdulmonem Abdumawla has been postponed for the second time in two weeks in the latest in a series of delays that are raising concerns regarding their right to a fair trial.

The hearing, which was scheduled for Oct. 31 in Khartoum, was rescheduled for Nov. 3, as the judge was absent. Last week, a hearing scheduled for Oct. 24 was postponed to Oct. 31, because the judge was out of the country.

These postponements follow several unnecessary delays in the case. The last hearing Oct. 17 was preceded by a three-week adjournment for the translation of documents. Prior to that, hearings had been postponed due to the absence of either the judge or prosecution, and the failure of the prison service to transport the men to court.

The four men are charged jointly with at least seven crimes, including waging war against the state (Article 51 of the Sudanese Criminal Code) and espionage (Article 53), which carry the death penalty as the maximum sentence. While trial proceedings started in August 2016, Rev. Abduraheem, Jašek and Abdumawla have been in detention since December 2015, and Rev. Shamal has been detained since May 2016.

The case against Rev. Abduraheem, Jašek and Abdumawla centers on the provision of finances for the medical needs of Ali Omer, a young man from Darfur who was injured in a demonstration in 2013. The prosecution alleges that the \$5,000 Jašek donated towards Omer's treatment was in reality support for rebel movements in the South Kordofan, Blue Nile and Darfur regions.

By framing the case in this manner, the National Intelligence and Security Service (NISS) has sought to exploit the ethnic origins of Reverends Abduraheem and Shamal, who are from the Nuba Mountains, and Abdumawla, who is from Darfur. Rev. Shamal was not involved in

fundraising for Omer's treatment but appears to have been included in the case due to his senior position in the Sudan Church of Christ, his relationship with Rev. Abduraheem and his ethnicity.

CSW's Chief Executive Mervyn Thomas said, "We are concerned by the continuing delays in the trial of Rev. Hassan Abduraheem, Rev. Kuwa Shamal, Petr Jašek and Abdulmonem Abdumawla. Fair trial principles stipulate that criminal proceedings should occur within a reasonable time. In this case, the constant postponements due to the absence of the judge or prosecutor or failure to transport the men to court are prolonging proceedings unnecessarily, which is unacceptable, given the length of time these men have already spent in custody. We continue to call for the unconditional and immediate release of these unjustly detained men. In the event the trial continues, we urge the government of Sudan to ensure it proceeds in line with fair trial principles outlined in Article 7 of the African Charter on Human and Peoples Rights, to which Sudan is a party."