

**In The Court of Magistrates
(GOZO)
As a Court of Criminal Judicature
Qorti tal-Magistrati
(Ghawdex)**

Magistrate : Dr. Paul Coppini LL.D.

Sitting : Tuesday 12th March, 2002 .

Case Number : 12/2002 .

The Principal Immigration Officer
(Inspector Neville Xuereb)

VS

1. Abai Zaka, d/o Sahaje b/Eritrea in 1970 .
2. Gabrea Roma, d/o Gabrea b/Kasala on the 26/12/84 .
3. Baire Naznaz, d/o Baire b/Asmara on the 13/01/76 .
4. Hajlimkejl Sanajt, d/o Hajlimkejl b/Asmara in 1976 .
5. Etebran Geresus, d/o Geresus b/Eritrea in 1972 .
6. Nuzab Ababarem, d/o Gababarem b/Asmara in 1974 .
7. Waldenkel Askalo, d/o Waldenke b/Mandafara in 1972.
8. Gabras Sgabir Tsegereda, d/o Veyene b/Mandafarah in 1973 .
9. Taswasi Hagas Ibrahim, d/o Ibrahim b/Asmara in 1972
10. Arem Simrat, d/o Arem b/Eritrea in 1982

All Eritrean Nationals, and

1. Mohammed Misara, d/o Mohammed b/Kismaio in 1986
2. Ahmed Rahma, d/o Ahmed b/Kismaio in 1975 .
3. Shehadam Atra, d/o b/Kismaio on the 02/03/70 .
4. Anshur Amina, d/o Anshur b/Gawar on the 02/06/70 .
5. Mahani Freedom, d/o Nigisti b/Somalia in 1976 .
6. Bashir Huspen Halimu, d/o Ahmed b/Kismaio in 1972
7. Muhammed Miriam, d/o Muhammed b/Kismaio on the 10/10/73 .980 .
8. Joussef Amina, d/o Mogadisho on the 02/12/72 .
9. Mohammed Munir Aisha, d/o Mohammed b/Mogadishu in 1966 .
10. Mohamed Isman Shukrima, d/o Mohamed Isman b/Mogadishu in 1975 .

11. Osman Mussa Mariam, d/o Osman Mussa b/Mogadishu in 1972 .

12. Ahmed Nour Ebadu, d/o Ahmed b/Kismaio in 1976 .

All Somali Nationals .

The Court ;

Having seen the charge by which accused were charged with having on the 4th March 2002 and on the previous days without having been granted a residence permit landed or were in Malta without leave from the Principal Immigration Officer .

And also that they cannot show that they have the means to sustain themselves and can become a charge on public funds .

The Court is also requested to order the forfeiture of the vessel used in the commission of the crime, that is the boat named, “Abdulrahman” which has been exhibited in the proceedings of the present case .

The Court was also requested that besides awarding the punishments according to Law, to declare the above mentioned persons as prohibited immigrants and issue a removal order against them in terms of Sections 14 and 15 of Chapter 217 of the Laws of Malta .

Having heard the defence lawyer of the accused plead guilty to the charges as indicated, the Court therefore finds accused guilty as charged, condemns them to week imprisonment suspended for a period of one month from today . This without prejudice of any application for refugee status which accused may apply for .

Court also orders the forfeiture of the vessel indicated in the charge “Abdulrahman” in favour of the Government of Malta .

The Court also orders the removal of all the accused in terms of sections 14 and 15 of Chapter 217 of the Laws of Malta .

(ft) Paul Coppini
Magistrate

(ft) Francis Attard
Deputy Registrar .

Vera Kopja

Ghar-Registratur
SK1202(Pc)
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