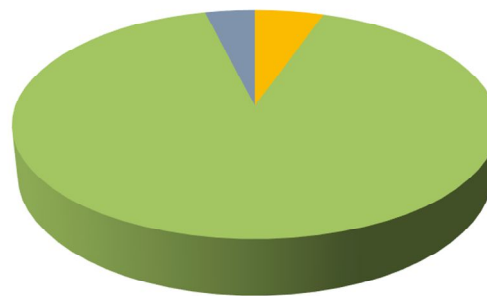





SUDAN



	Christian (5.4%) Catholics: 3% Other Christians 2.4%
	Muslim (90.7%)
	Other Religions (3.9%)

Area: 1.9 million km ²	Population¹: 41.1 million	Political system: Democracy / Autocracy ²	Major Language(s): Arabic, English
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Legal framework on freedom of religion and actual application

The political uncertainty mentioned in the last report continues in the country. The currency has reached worrying levels of devaluation, apart from the economic sanctions that are hurting the normal running of businesses and services within the country.

After a gap of several years, on 15th October 2015, 26 pending entry visas for missionary personnel to enter the country were issued by the government. This was a relief for the running of pastoral and social activities, especially of religious congregations. The problem, however, is that for personnel who have entered the country, no subsequent stay permits have been issued and persons exceeding their right to stay receive a fine of 50 Sudanese Pounds a day. Therefore, the administrative conditions for the legal stay of church personnel in Sudan are not completely fulfilled yet.

The Sudanese state continues to be governed by the 2005 Interim National Constitution (INC) issued in the wake of the Comprehensive Peace Agreement that ended the 20-year civil war between the central government and the SPLM/A (Sudan People's Liberation Movement/Army) fighting for recognition of the rights of the South and its independence. However, the 1991 Penal Code, which penalises apostasy with death unless the person recants her faith in exchange for the release (Art.126), is still in force and it has been applied.³

On the one hand, the INC provides for religious freedoms, recognising the cultural and religious diversity of the country⁴ and on the other it enshrines *Shari'a* law as the source of legislation.⁵ The wording of this interim constitution reflects the spirit of that time, fostering tolerance, inclusion and diversity. The mood however has totally changed and there have been pressures to work again on a new and more updated constitution for the "present Sudan". Since 1989 President Omar al-Bashir has built his regime on the basis of his own interpretation of political Islam. After South Sudan seceded from the north in 2011, he clearly showed signs of continuing in the same political direction.⁶ However, in more recent times, his country has been fighting a huge economic crisis, his popular support has dwindled and his long-lasting leadership has shown signs of fatigue. These factors, combined with world-wide policies to control and curb jihadism in different regions of the world, have probably prompted Bashir to take more pragmatic and less Islamist-oriented approaches that might work in favour of his political survival after the questionable 2015 elections (boycotted by the opposition) that re-elected him for a further five-year term. In February 2015, the

National Assembly revised the text and increased penalties for blasphemy under article 125 of the Criminal Code; this is believed to be targeting not only Christians but also Shi'a Muslims.⁷ On another front, new amendments to the INC were recently approved whereby powers of the National Intelligence and Security Services (NISS) were widened and increased.⁸ This has definitely had an impact on human resources issues and the prosecution of individuals, media outlets and organisations for alleged breaches of the law.

Incidents

Arrests:

23rd June 2014: After having been arrested in February and later on being sentenced to death under *Shari'a* law for allegedly abandoning her Islamic faith, Meriam Yahia Ibrahim, a prisoner of conscience, was finally released from prison.⁹ The overturn of her sentence and her release were seen as consequence of the massive public outcry that this case brought about all over the world. Despite resistance by the authorities to grant her an exit visa, she sought refuge in the US embassy in Khartoum on 27th June and was finally allowed to leave the Sudan and join her husband in the U.S.¹⁰

25th November 2014: Police & security personnel dispersed a vigil organised by Christians who attend Khartoum Bahri Evangelical Church, a place threatened with closure. Five Church leaders (Rev Daud Fadul, elder Fathi Hakim, elder Nouh Manzoul, Deacon Iman Hamid and Tilal Mafishi) were arrested and later released.¹¹

2nd December 2014: Authorities took away a large portion of the land belonging to the Khartoum Bahri Evangelical Church compound in Khartoum North and destroyed some buildings allegedly because they were needed for investment. The activities of the church in that location came to a halt. Also police beat and fined 38 Christians from the congregation. Later on, they were released after paying a fine of 250 Sudanese Pounds (other sources say 250 US\$).¹² This also appeared for a while to be a case of internal struggle within the church leadership in a wrangle related to a land sale that a church council granted but others opposed.¹³ In a further development, a court accepted the fact that the Sudan government had interfered with the internal ruling of the church in order to transform the premises into a place for commercial investment.¹⁴ Two pastors who had been accused of obstructing the demolition of the church premises were later acquitted of the charges.¹⁵

14th July 2015: Twelve women between 17 and 23 years of age and originally from the Nuba mountains, were arrested in front of a church in Khartoum and charged under article 152 of the Criminal Code for "indecentcy" since they were wearing trousers.¹⁶ Some of the women were finally released, four had to pay a fine, and one woman was sentenced to receive 20 lashes and pay a fine.¹⁷

10th December 2015: A Sudan court charged 25 Muslims with apostasy. The suspects were accused of taking the *Qur'an* as their only source of religious legitimacy, rejecting some other sources such as the traditions of other rulings and the Sunnah.¹⁸

18th December 2015: Forces from the National Intelligence and Security Service (NISS) arrested two pastors, Hassan Abdulrahim Kodi Taour and Kuwa Shamaal, at their homes and took them to an unknown destination. The two pastors belonged to the Nuba group and were senior clerics in the Church of Jesus Christ of Sudan. Pastor Hassan was the Secretary General of the church. Since then they have been detained without access to their families or to lawyers and legal aid has been denied.¹⁹ Shamaal was afterwards put on a system of daily reporting to the authorities which equated to daily confinement. Up to April 2016, no charges have been brought against them.²⁰ Other church leaders (Ayub Tilyan, Yagoub Naway (both SCC pastors), Rev. Philemon Hassan, and Rev. Yamani Abraha of Khartoum El Izba Baptist Church, have been alternately arrested, released, and then made subject to daily NISS reporting.

2nd March 2016: A Czech citizen called Petr Jasek was put in prison after being accused of filming evidence of Christian persecution in Sudan.²¹

24th May 2016: Reverend Kodi Taour, arrested and detained since December, was likely to be charged with espionage and other crimes and he might receive the death sentence.²²

Expropriations/destructions of Church buildings, assets²³

30th June 2014 :Government authorities demolished a building of the Church of Jesus Christ in Bahri, a congregation with around 600 members, in the Alizba area of Khartoum North. Authorities claimed that it was built on a space belonging to the government and reserved for public purposes.²⁴ A nearby mosque on the same block is reported to have been left untouched.

31st July 2014: Shalil Abdullah, the Sudanese minister for guidance and religious endowments, announced a ban on construction of any Christian place of worship.²⁵

17th - 18th November 2014: Bulldozers accompanied by security personnel partially destroyed a wall of the Khartoum Bahri Evangelical Church in Khartoum North, which also housed the Nile Theological College.

On 18th November the house of pastor Hafiz Fasaha of the Sudan Presbyterian Episcopal Church was destroyed. The following day a court order arrived requiring the removal of all property inside the pastor's house.²⁶

21st October 2015: Local authorities destroyed the premises of the Lutheran Church of Sudan in Omdurman quoting "lack of planning permission" despite the church having been there since the 1990s.²⁷

Attacks

10th October 2014: Sudan Air Force planes dropped four bombs and completely destroyed the Episcopal Church of the Sudan (ECS) compound in the village of Tabolo (Nuba Mountains, Southern Kordofan State). During the months of September and October a total of 19 bombs had been recorded in different parts of the same region.²⁸

16th October 2014: Nine people died and 17 others were injured in Heiban area (Nuba Mountains) as a result of an aerial bombardment carried out by the Sudan Air Force on a Christian village.²⁹

25th May 2016: Sudan warplanes used parachute bombs to attack St Vincent Ferrer Catholic School in Nuba Mountains, injuring a teacher and damaging classrooms and a library. According to Nuba reports, 68 bombs have been dropped during the month of May just on Heiban County.³⁰

Kidnapping

14th April 2016: Coptic priest Gabriel Anthony, a priest of the Holy Mary Coptic Orthodox Church in Nyala, was kidnapped by gunmen near Atash displacement camp in Nyala. This case was suspected to be an act of bandits expecting ransom money rather than due to terrorism or religious violence.³¹ The priest was finally released on 25th May.³²

Prospects for freedom of religion

The present situation of Sudan shows that freedom of religion is still under massive threat at the hands of government officials and security agencies. Penalties for apostasy and blasphemy have been clearly toughened in recent amendments carried out by legislators. In the last two years there has been a worsening trend for civil liberties in general and for freedom of religion in particular. Individuals have difficulties in following their religious obligations and in exercising peaceful

activities related to their beliefs. Prosecutions related to charges of apostasy, blasphemy, theft, “offences of honour, reputation and public morality” together with indecency are regularly implemented.

Religious minorities suffer very much under the massive political and societal pressure of the Sunni Muslim majority. Minorities continue to be marginalised and discriminated against with little or no possibility of social progress as long as they do not convert to Islam (or eventually, in the case of Shia, to the more orthodox trends of the Islamic religion). Places like mosques and meeting venues of ‘heterodox’ groups such as the Sufi religious brotherhoods are regularly monitored by security personnel. Forceful conversions due to religious pressures continue to be recorded, while conversions from Muslim to other religions remain highly controversial, hazardous and extremely onerous for the families of the affected individuals. Converts are harassed, oppressed and quite often forced into exile. The fact that president Bashir has (questionably) won re-election with an additional five-year term in power suggests that there will not be any change in policy.³³ Even though the president might be guided by more pragmatic considerations, his style is one of strict control of religious, social and ethnic groups. Human Rights remain one of the most sensitive aspects of the Sudanese regime.³⁴

An area of particular concern for Christians is the South Kordofan (the Nuba Mountains) and Blue Nile States, because of the armed conflict that has lasted for more than five years. The presence of political groups and guerrillas opposed to the Khartoum regime in those areas has brought about ruthless armed ground attacks, aerial bombardments and shelling incidents, in which thousands of civilians have fled, lost their lives or their property. The real scale of this low-intensity confrontation might never be completely known, since the Sudanese government has greatly limited the humanitarian access of international aid agencies to populations in need. Although in principle this is not a religious war, it is also true that many of the bombings target the Christian community in the form of religious institutions in the area (schools, hospitals, community and prayer centres). The Sudanese Army and Air Force have been carrying out deliberate attacks on civilian targets, causing a huge toll among the local population, many of them Christians.³⁵ Citizens from Nuba definitely suffer under a double persecution, for their ethnic origin and their religious beliefs.

In the medium to long term, and unless profound changes take place, Sudan is very likely to remain a country of special concern when it comes to respect for civil liberties and religious freedom. It is foreseen that religious minorities will continue to suffer harassment, violence and mistreatment.

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- 1 “Mundo Negro”, Africa Data 2016. May 2016. Madrid. 39,350,000 according to World Bank <http://data.worldbank.org/country/sudan> BBC Country profile calculates the population at 45,700,000 which might be on the high side.
 - 2 https://en.wikipedia.org/wiki/Democracy_Index
 - 3 “Since 2011, more than 170 persons have been arrested and charged with apostasy; almost all recanted their faith in exchange for having the charges dropped and being released from prison.” United States Commission on International Religious Freedom (USCIRF) 2015 Report, page 66 Report available at <http://www.uscirf.gov/sites/default/files/USCIRF%20Annual%20Report%202015%20%282%29.pdf>
 - 4 Chapter I, Article 1
 - (1) The Republic of the Sudan is an independent, sovereign State. It is a democratic, decentralised, multi-cultural, multilingual, multi-racial, multi-ethnic, and multi-religious country where such diversities co-exist.
 - (2) The State is committed to the respect and promotion of human dignity; and is founded on justice, equality and the advancement of human rights and fundamental freedoms and assures multi-partism.
 - (3) The Sudan is an all embracing homeland where religions and cultures are sources of strength, harmony and inspiration.
- In Article 6, it spells out the religious rights of the citizens, who are allowed to:
- (a) worship or assemble in connection with any religion or belief and to establish and maintain places for these purposes,
 - (b) establish and maintain appropriate charitable or humanitarian institutions,
 - (c) acquire and possess movable and immovable property and make, acquire and use the necessary articles and materials related to the rites or customs of a religion or belief,
 - (d) write, issue and disseminate religious publications,
 - (e) teach religion or belief in places suitable for these purposes,

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- (f) solicit and receive voluntary financial and other contributions from individuals, private and public institutions,
 - (g) train, appoint, elect or designate by succession appropriate religious leaders called for by the requirements and standards of any religion or belief,
 - (h) observe days of rest, celebrate holidays and ceremonies in accordance with the precepts of religious beliefs,
 - (i) communicate with individuals and communities in matters of religion and belief at national and international levels.

And in Article 38, dedicated to the freedom of creed and worship:

Every person shall have the right to the freedom of religious creed and worship, and to declare his/her religion or creed and manifest the same, by way of worship, education, practice or performance of rites or ceremonies, subject to requirements of law and public order; no person shall be coerced to adopt such faith, that he/she does not believe in, nor to practice rites or services to which he/she does not voluntarily consent.

- 5 Article 5 (1) Nationally enacted legislation having effect only in respect of the Northern states of the Sudan shall have as its sources of legislation Islamic Sharia and the consensus of the people.
- 6 He even pledged to create a 100% Islamic constitution after the South Sudan decided to become independent. *Al Bashir: Sudan statute to be 100% Islamic*, GULF NEWS (8th July 2012) <http://gulfnews.com/news/region/sudan/al-bashir-sudan-statute-to-be-100-islamic-1.1046029>
- 7 USCIRF Report 2016, page 66. Report available in <http://www.uscirf.gov/sites/default/files/USCIRF%202016%20Annual%20Report.pdf>
- 8 Amendment to Article 151 of INC. Amnesty International, Report 2015-2016, page 342.
- 9 Her profile can be found in https://www.prisoneralert.com/pprofiles/vp_prisoner_240_profile.html Concerning her release *Sudan death sentenced woman "freed"*, BBC NEWS (23th June 2014) <http://www.bbc.com/news/world-africa-27979782>
- 10 *Sudan 'apostasy' woman takes refuge in US Embassy*, BBC NEWS (27th June 2014) <http://www.bbc.com/news/world-africa-28051216>
Meriam's permission to leave Sudan still unclear, WORLDWATCH MONITOR (21st July 2014) https://www.worldwatchmonitor.org/2014/07/article_3226132.html/
- 11 *Police in Sudan Arrest Church Leaders for Refusing to Surrender Worship Property*, MORNING STAR NEWS (25th November 2014) <http://morningstarnews.org/2014/11/police-in-sudan-arrest-church-leaders-for-refusing-to-surrender-worship-property/>
- 12 *Police in Sudan Attack Worshipping Congregation, Arrest 38 Christians*, MORNING STAR NEWS (3rd December 2014) <http://morningstarnews.org/2014/12/police-in-sudan-attack-worshipping-congregation-arrest-38-christians/>
- 13 There have been accusations of corruption against the Church council willing to sell valuable land to investors. Cf. *Two South Sudanese Pastors face death penalty in Khartoum*, SUDAN TRIBUNE (3 June 2015) <http://www.sudantribune.com/spip.php?article55200>
- 14 *Court in Sudan Rules Government Interfered with Church*, MORNING STAR NEWS (16th September 2015) <http://morningstarnews.org/2015/09/court-in-sudan-rules-government-interfered-with-church/>
- 15 *Sudanese pastor acquitted of obstructing church demolition*, CHRISTIAN TODAY (6th January 2016) <http://www.christiantoday.com/article/sudanese.pastor.acquitted.of.obstructing.church.demolition/75776.htm>
- 16 *Outrage as nine Sudanese women face 40 lashes for wearing trousers*, THE GUARDIAN (14th July 2015) <http://www.theguardian.com/world/2015/jul/14/sudan-christian-women-40-lashes-trousers>
<https://www.amnesty.org/en/documents/afr54/2046/2015/en/>
- 17 Cf. *Sudanese woman sentenced to lashes, fine for wearing trousers*, CNN (14th August 2015) <http://edition.cnn.com/2015/08/14/africa/sudan-women-indecent-dress-case/>
- 18 *Sudan court charges 25 with apostasy*, NEWS 24 (12th December 2015) <http://www.news24.com/Africa/News/sudan-court-charges-25-with-apostasy-20151210>
- 19 *Two More Pastors Arrested in Sudan*, Morning Star News (20th December 2015) <http://morningstarnews.org/2015/12/two-more-pastors-arrested-in-khartoum-sudan/> In some other reports there is some confusion between the names of Pastor Telal Ngosi and the other pastor arrested together with Pastor Hassan Abderrahim http://www.sudanconsortium.org/darfur_consortium_actions/pressreleases/2016/Urgent%20Action.pdf
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- 24 *Sudan refuses pastor's appeal, demolishes Church of Christ in North Khartoum*, PERSECUTION.ORG, (1st July 2014) <http://www.persecution.org/2014/06/30/sudan-tries-to-quietly-demolish-church-of-christ-in-north-khartoum/>
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Sudan Democracy First Group <http://us7.campaign-archive1.com/?u=7acabab6ae470b89628f88514&id=4d8a6e41df&e=9b69fce712>

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- ³³ The European Centre for Law and Justice, in its last Universal Period Review for 2015 considers Sudan an "egregious offender of its citizens' religious liberty" Cf. <http://9afb0ee4c2ca3737b892-e804076442d956681ee1e5a58d07b27b.r59.cf2.rackcdn.com/ECLJ%20Docs/Sudan%202015.pdf>
- ³⁴ See different cases in the report by Sudan Consortium <http://www.sudanconsortium.org/> An example showing the seriousness of this situation could be the reaction from 39 organisations from the Sudan civil society to excessive use of force by Sudanese authorities <http://reliefweb.int/report/sudan/open-letter-concerning-excessive-use-force-sudanese-authorities>
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