

Sudan: Freedom of religion or belief

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Introduction

Sudan's president, Omar al-Bashir, has stated repeatedly that following South Sudan's 2011 secession, Sudan – 97% of which is Muslim – would become an Islamic state with a new shari'a-based constitution. This constitution is currently being drafted, in an opaque and non-inclusive manner.

Following the secession, religious minorities have experienced hardship, hostility and isolation. Not only are Christians often obstructed from practising their faith, they can also face harassment and even persecution for doing so. Converts from Islam are particularly vulnerable to societal and state pressure. Both blasphemy and apostasy are illegal, with the latter carrying the death penalty.

Apostasy

In 2014 Sudan gained international notoriety when a Christian woman, Meriam Ibrahim, was sentenced to death for apostasy and 100 lashes for adultery. Her lawyers appealed the sentence and she was eventually acquitted by the Court of Appeal. Although she left the country her case continued to the Constitutional Court, challenging the provisions that guarantee freedom of religion or belief (FoRB) and the legality of apostasy provisions in the criminal code. At the end of 2017 the case was dismissed by the highest court in the land, leaving the legislation in place.

In early 2015 amendments were passed widening the scope and sentences for blasphemy and apostasy. In December 2015, 25 Muslims (including three minors) were placed on trial for apostasy. The individuals had not converted from Islam, but followed an interpretation that differed from that of the ruling regime.

Demolition and confiscation of churches

2014 saw another wave of restrictions, namely the demolition and confiscation of church buildings without compensation. This concerning practice continues. In 2017, 27 churches were earmarked for demolitions; several have been demolished, including the last remaining church in the Soba Aradi district in the south-east of Khartoum, which was demolished on 7 May 2017. In 2011 the district reportedly had 13 churches representing diverse denominations.

In February 2018 security personnel demolished a church belonging to the Sudan Evangelical Presbyterian Church (SEPC) in El Haj Yousif, Khartoum North without notice. The church was one of the 27 earmarked for demolition. In July 2018 a Pentecostal church in Khartoum was returned to the community after having been confiscated in 2013. This marks the first church to be returned; however, no action has been taken on other churches that have been confiscated or demolished since 2011.

Government interference in church affairs

In 2016 the Ministry of Guidance and Religious Endowments recognised a newly elected, but illegally convened, committee of the SEPC. The committee has since sold church property to private investors, and when church members protested the sales they were arrested by the security services. In May 2017 a church elder was murdered when members of the illegally-convened committee attacked peaceful protesters demonstrating against the sale of church land. The Ministry of Guidance and Religious Endowments also appointed a new executive committee to lead the Sudanese Church of Christ (SCOC), in violation of church rules and procedures. The case is still awaiting judicial determination.

The government has attempted to portray these cases as internal church conflicts, but local sources confirm that the appointment of pro-government leaders is intentional and designed to reinforce state control of churches.

Judicial harassment

During August and September 2017 at least ten religious leaders from the SCOC and the SEPC were arrested and charged with trespass or disturbing the peace – charges that can lead to a maximum of six months' imprisonment. Twelve months later, in August 2018, charges against eight of the SCOC leaders were dismissed, with the judge ruling that the cases have no criminal foundation. Their cases are emblematic of the persistent judicial harassment of religious leaders. Cases are typically mired in delays as they proceed through the criminal justice system, leaving the threat of imprisonment looming over religious leaders. The security apparatus uses the pending criminal proceedings to intimidate both leaders and church members.

Restrictions on Christian schools

Christian schools are among the oldest in the country, and have traditionally closed on Sundays so that Christian attendants and staff can observe this as a day of worship. In July 2017 the Khartoum State Ministry of Education ordered Christian schools to open on Sundays. The order met with considerable resistance, and in some cases sparked protests from Christian and Muslim parents.

Recommendations

- Urge the government of Sudan to review current legislation on apostasy and blasphemy, and repeal or amend any laws interfering with the full enjoyment of the constitutionally guaranteed right to freedom of religion or belief (FoRB).
- Urge the government of Sudan to cease all planned confiscations or demolitions of churches or church-owned buildings, and to end all interference in the affairs of the Sudanese Church of Christ and the Sudan Evangelical Presbyterian Church.
- Urge the government of Sudan to drop unconditionally all charges against religious leaders arrested during 2017.
- Encourage Sudan to fully implement constitutional provisions on the protection and promotion of FoRB and related rights, including the freedoms of expression, association and assembly.
- Encourage Sudan to continue to engage positively with Special Procedures mandate holders, including the Independent Expert on Sudan, and to issue a standing invitation to all relevant Special Procedures mandate holders, especially the Special Rapporteur on freedom of religion or belief and the Special Rapporteur on minority issues, to visit Sudan with unhindered access to all parts of the country.
- Ensure that FoRB and the wider human rights situation are raised consistently in all relevant high-level correspondence, high-level visits and bilateral exchanges with Sudan.
- Continue to monitor and engage with religious leaders and human rights defenders working on FoRB in Sudan.
- Establish specific, measurable and time-bound criteria for monitoring progress on human rights and democratic reform, including FoRB, in ongoing bilateral meetings.

As Christians, we stand with everyone facing injustice because of their religion or belief.