



## UNITED STATES COMMISSION *on* INTERNATIONAL RELIGIOUS FREEDOM

# POLICY UPDATE: SUDAN

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### USCIRF's Mission

*To advance international freedom of religion or belief, by independently assessing and unflinchingly confronting threats to this fundamental right.*

## Preserving Religious Freedom Progress in Sudan

*By Mohy Omer, Policy Analyst*

### Introduction

Since 2019, the hybrid military and civilian transitional government has taken positive steps to repeal repressive laws and regulations that restricted religious freedom, including the country's public order and apostasy laws. In response to this progress, USCIRF did not recommend Sudan for designation as a country of particular concern, or CPC, or for placement on the State Department's Special Watch List in the 2021 Annual Report.

However, USCIRF is concerned that the recent military takeover on October 25, which dissolved the civilian-led government and arrested key civilian officials, may cause Sudan to backslide on the progress made. In response, the U.S. government [suspended](#) assistance to Sudan and urged the military to immediately reinstate the civilian government. The military takeover in Sudan jeopardizes historic progress made by the civilian-led government over the last two years to advance human rights issues, including religious freedom for all Sudanese people.

This policy update highlights further progress in 2021 by the transitional government. In addition, it also highlights remaining challenges to advancing religious freedom in the country. It concludes by providing concrete recommendations to the U.S. government to improve human rights protections and preserve reforms by the civilian-led government that will benefit freedom of religion or belief in Sudan.

### Religious Demographics

Due to a lack of a credible recent national census in Sudan, the demographics of the Sudanese people are imprecise. As of July 2021, the U.S. government [estimates](#) the population at 46.7 million. Sunni Muslims constitute most of the population at about 91 percent. Practices and beliefs within this group [vary](#) significantly and include both Sufi and Salafi communities. Sunni Muslims are spread across the country. In addition, Sudanese Christians constitute about 6 percent of the population. This group represents more than [36 different denominations](#), and they mainly reside in the capital city of Khartoum, in Blue Nile State, and in the Nuba Mountains area. Additionally, there are other small [religious communities](#) in the country, including Jews, Baha'is,

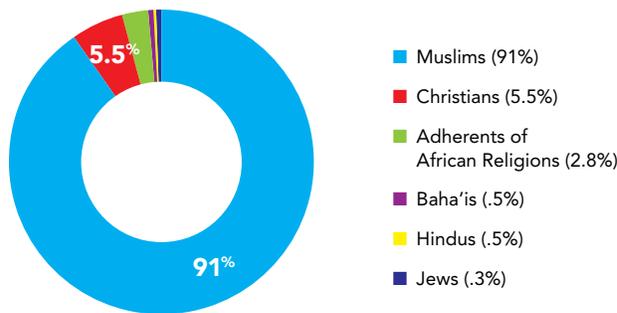


Hindus, and adherents of African traditional religions. About 1 percent of the population are *reportedly* nonbelievers. Due to the North-South War and the recent civil war in the Nuba Mountains and Blue Nile State, many members of the Christian faith and adherents of African traditional religions *live* in refugee camps in neighboring countries and internally displaced persons (IDP) camps in Sudan.

strict interpretation of Sunni Islam, including through *the public order law* and other repressive laws and regulations.

In April 2019, a popular *uprising* brought an end to President al-Bashir’s 30-year-old regime. As protests spread across the country, the Sudanese military intervened to arrest President al-Bashir. Following the fall of the regime, a transitional hybrid government, led by civilian prime minister Abdalla Hamdok, was installed in August 2019. Soon after *assuming* office, Prime Minister Hamdok and his government made advancement of human rights, peace, and democratization top priorities.

### Religious Demographics in Sudan



### Background

*Historically*, Sudan was a religiously diverse country. However, after its independence in 1956, Sudan’s elites *imposed* a Sunni interpretation of Islam on all Sudanese people, regardless of their religious affiliation. Coming to power through a *military coup* in 1989, President al-Bashir inflamed religious tensions by *declaring* the North-South civil war a religious war between Christians and Muslims. During his rule, President al-Bashir’s government committed egregious violations of the internationally recognized right to freedom of religion or belief against individuals who did not conform to its

To address poor religious freedom conditions, the transitional government carried out several key institutional and legal reforms. For example, in 2019, the transitional government *repealed* the public order law that was systematically used by the former regime to oppress those who disagreed with its interpretation of Sunni Islam. In July 2020, Sudan’s transitional government *passed* the Fundamental Rights and Freedoms Act of 2020, which repealed the apostasy law, ended flogging as a punishment for blasphemy, banned female genital mutilation (FGM), permitted non-Muslims to drink alcohol, and abolished the guardianship law, which required women to get a permit from a male guardian for traveling abroad with their children. Moreover, in October 2020, the transitional government *signed* a peace agreement with a number of armed groups, paving the way to end a decades-long war that disproportionately impacted religious minority communities. In 2021, the transitional government continued to *expand* representation of historically marginalized groups in the government, including non-

Muslims, youth, and women. For example, after the Juba Peace agreement, the transitional government [appointed](#) to high positions ethnic and religious minorities from the Nuba Mountains area and the Darfur region.

On October 25, Sudan's military leader General Abdul-Fatah Al-Burhan [declared](#) a national state of emergency, dissolved the civilian-led government, suspended key provisions of the transitional constitution, and arrested government officials. The arrests included Prime Minister Abdalla Hamdok and other ministers and a member of the Sovereign Council. According to [reports](#), some of the ministers were released and the Prime Minister is being held under house arrest.

### Continued Religious Freedom Progress in 2021

Until it was dissolved on October 25, Sudan's transitional government continued to carry out institutional and legal reforms in 2021 to advance religious freedom. In January 2021, Sudan's Prime Minister Abdalla Hamdok announced his government's plan to [establish](#) a new Human Rights Commission, which was mandated by the [Interim Constitution](#). The new Commission will be comprised of 18 members from various professional backgrounds and experiences, and it will be headed by the Minister of Justice. It is also mandated to monitor and report on human rights conditions for all Sudanese, including religious minorities. The prime minister [recognized](#) the significance of public participation, noting that "the most important task of the new commission is to involve civil society members who are active in the field of human rights in public workshops."

Additionally, in February 2021, the transitional government [announced](#) the approval and ratification of the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (UNCAT) and the International Convention for the Protection of all Persons from Enforced Disappearance (ICPPED). These legal and institutional reforms are important for the protection of vulnerable individuals, including religious minorities in Sudan. Advocates and practitioners of non-Sunni Islamic faiths were often subject to torture or cruel, inhuman, or degrading treatment due to their religious or spiritual beliefs or practices by the former regime.

Furthermore, in March 2021, Sudan's transitional government and the Sudanese Liberation Movement North (SPLM-N)—a major armed opposition group led by General Abdulaziz Al-Hilo—[agreed](#) to a separation of state and religion. Last year, the transitional government

[signed](#) a peace agreement with several armed groups, but the SPLM-N refused to join as it demanded secularism as a condition to ending armed conflict.

In April 2021, Sudan's transitional government [approved](#) laws allowing non-Muslim banking to operate. With this development, Sudan will have a dual banking system with equal access for Muslim and non-Muslim citizens. This change allows religious minorities the freedom to use secular banking systems, which they were denied under the former regime of President al-Bashir.

Finally, in August 2021, Sudan welcomed International Criminal Court (ICC) Prosecutor Karim Khan to Khartoum to discuss transitional justice measures relating to the Darfur genocide. The government [declared](#) its intention to "fully cooperate with the prosecutor to end impunity and achieve justice in Darfur." Religious minorities were among the victims of the brutality of the former regime in Darfur and have been demanding that al-Bashir and those who aided him in committing these heinous crimes be brought to justice.

### USCIRF Engagement with Sudan's Transitional Government

Since its formation in August of 2019, Sudan's transitional government has engaged with USCIRF on numerous occasions. In December 2019, USCIRF [met](#) with Prime Minister Hamdok and members of his cabinet during a visit to Washington, DC. In February 2020, a USCIRF delegation [visited](#) Sudan and met with the prime minister and other high-level Sudanese officials. After Sudan passed the Fundamental Rights and Freedoms Act in July 2020, USCIRF [organized](#) a public event in November 2020 with Sudan's Minister of Religious Affairs to discuss this and other developments. In May 2021, USCIRF [hosted](#) a follow-up event with the Minister of Religious Affairs and Sudan's Ambassador to the United States, where they shared progress as well as remaining challenges to advancing religious freedom in Sudan.

### Ongoing Challenges

Despite these positive developments, many Sudanese are not satisfied with the pace of change in the country. In late 2020 and early 2021, Sudanese people have been [taking](#) to the streets to express their frustration and anger with the transitional government. Their calls include expedited reforms that safeguard the rights of all Sudanese, including ethnic and religious minorities, and accountability for members of the former regime who committed egregious human rights violations.

In addition to the COVID-19 pandemic impacting the pace of reform due, another challenge has been the unaddressed claims of churches whose properties were destroyed or confiscated by the al-Bashir regime. In May 2021, at a USCIRF public event, Sudan's Minister of Religious Affairs stated that the transitional government's efforts to return such properties to their rightful owners were ongoing. During 2021, affected communities informed USCIRF that they believed the transitional government is committed to addressing their claims fairly, though they are frustrated with the slow process.

Moreover, despite the notable progress in repealing the apostasy law (article 126) and other restrictive laws, the transitional government has not yet fully repealed the blasphemy law (article 125), though it [ended](#) flogging as a punishment. Article 125 continues to criminalize blasphemy and carries a punishment of up to five years' imprisonment. The Fundamental Rights and Freedoms Act also enacted a new provision that allows for the criminal punishment (up to 10 years' imprisonment) of a person for accusing another person of not being a believer because of their faith, or lack thereof.

Furthermore, while the transitional government has committed to changing the former regime's intolerant education curriculum with one that is more inclusive and reflective of Sudan's cultural, religious, and ethnic diversity, this process [stalled](#) in 2021. In July 2021, the National Center for Curriculum and Education Research (NCCER), which is tasked with reforming Sudan's education system, introduced a new school curriculum. The then-Minister of Education, Mohamed el-Tom, described it as a curriculum that "would help liberate the minds of the people, show them that there are others, other cultures, other perspectives." However, the new curriculum soon drew wide [criticism](#), especially from conservative Islamists and clerics. After public protests, Prime Minister Hamdok [instructed](#) the NCCER to stop the development of the new curriculum until further consultations. The director of the NCCER, Omar el-Garai, [resigned](#) from his post in protest over the prime minister's decision. As of this writing, the consultation process has not been completed.

Additionally, several laws are still in effect that raise serious human rights concerns, including implications for religious freedom. These laws include the

Cybercrimes Act of 2007, which is vaguely worded to [allow](#) the government to criminalize what it perceives as a "spread of false news" and publication of "indecent materials," the 2009 Press Law, and the 2010 National Security Law. These repressive [laws](#) continue to impact the ability of the Sudanese people to exercise their rights, including religious freedom.

Finally, the Sudanese military takeover may very well threaten all the gains made by the ousted civilian-led transitional government. The coup leader General Burhan and his deputy General Mohamed Hamdan Daglo, also known as Hemity, were both [key figures](#) in the former regime of Omer al-Bashir, which committed grave human rights violations, including of religious freedom.

## Key U.S. Policy Update

Soon after the Sudanese revolution, diplomatic relations between Sudan and the United States improved significantly. In addition to making progress on religious freedom reforms, the Sudanese government welcomed the official [removal](#) of the country from the U.S. State Sponsors of Terrorism list in December 2020 almost two decades after its designation. Additionally, the U.S. Congress [budgeted](#) a total of \$700 million dollars to support Sudan's transition to democracy. After the October coup, the U.S. government suspended its aid to Sudan in response to the military takeover and called on the military leadership to immediately relinquish power to civilian leadership.

Before the coup, the two countries continued high-level visits in 2021. In May 2021, Sudan sent [a delegation](#) to the United States, which was led by the Minister of Religious Affairs. The delegation met with various U.S. government agencies, including USCIRF. Similarly, in May 2021, the U.S. Special Envoy for the Horn of Africa, Ambassador Jeffrey Feltman, visited Sudan where he [discussed](#) shared interests between the two nations. In July 2021, USAID Administrator Samantha Power [visited](#) Sudan to further strengthen U.S.-Sudan bilateral relations "by working with and supporting Sudan's transition to democracy." While in Sudan, Administrator Power visited and delivered [remarks](#) at the University of Khartoum where she mentioned freedom of belief and worship as being an integral part of human rights.



## Recommendations to U.S. Government

While some obstacles persisted even before the coup, Sudan's civilian-led transitional government made progress in advancing religious freedom. To ensure that this positive trend of legal and institutional reforms continues once the civilian-led government is restored, USCIRF recommends the U.S. government:

- Continue to provide technical and financial assistance to Sudan's civilian-led transitional government to support ongoing institutional reform, particularly to the Ministry of Education to replace the former regime's intolerant curriculum with new materials and accompanying teacher training that support religious freedom;
- Provide financial and technical support for the civilian-led transitional government to support the implementation of transitional justice and other legal and constitutional reforms, the establishment of an independent commission for religious freedom, and the development of an independent civil society which promotes freedom of religion or belief;

- Support the creation of a high-level international advisory body for human rights in Sudan to hold regular dialogues on reform and progress with its international allies; and
- Continue to encourage the civilian-led transitional government to invite the United Nations (UN) Special Rapporteur for freedom of religion or belief, Ahmed Shaheed, to visit Sudan.

Should the civilian-led government not be restored in the immediate term and the progress specific to human rights backslides, USCIRF will have additional recommendations related to advancing religious freedom in Sudan.

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The U.S. Commission on International Religious Freedom (USCIRF) is an independent, bipartisan federal government entity established by the U.S. Congress to monitor, analyze, and report on religious freedom abroad. USCIRF makes foreign policy recommendations to the President, the Secretary of State, and Congress intended to deter religious persecution and promote freedom of religion and belief.