

SUDAN

TIER 1 | USCIRF-RECOMMENDED COUNTRIES OF PARTICULAR CONCERN (CPC)

KEY FINDINGS

In 2018, religious freedom conditions in Sudan trended the same as in 2017. Throughout the year, the government of Sudan continued to restrict the religious expression of Muslims and non-Muslims. The government actively promoted and enforced a strict interpretation of Sunni Islam and imposed religious-based constraints on Muslims and non-Muslims. Security forces continued to harass, arrest, detain, and use excessive force against Muslim religious minorities, Christians and church leaders, protestors, journalists, and human rights defenders for challenging the state's control of religion or for manifesting their religion or beliefs. In February 2018, state actors demolished an evangelical church in Khartoum in spite of a pending court battle over the property rights to the land on which the church was built. In October, authorities arrested 13 Christians—reportedly for practicing their faith—and charged one with apostasy. Women's rights continued to be hindered by restrictions on religious freedom, including through the

enforcement of public order laws. USCIRF visited Sudan in May 2018 to review religious freedom conditions and met with religious communities, displaced persons, civil society organizations, government officials, and others. At the end of the reporting period, historic nationwide protests prompted citizens to call for President Omar al-Bashir to step down. During the protests, security forces used excessive force on civilians and shot tear gas into and around mosques in attempts to suppress demonstrations and free speech.

In 2019, USCIRF again finds that Sudan merits designation as a "country of particular concern," or CPC, under the International Religious Freedom Act (IRFA). The U.S. Department of State has designated Sudan as a CPC since 1999, most recently in November 2018. USCIRF recommends that the State Department redesignate Sudan as a CPC under IRFA and extend the existing presidential action restricting U.S. assistance to the government of Sudan.

RECOMMENDATIONS TO THE U.S. GOVERNMENT

- Identify Sudanese government agencies and officials responsible for severe violations of religious freedom, freeze those individuals' assets, and bar their entry into the United States, as delineated under the [Global Magnitsky Human Rights Accountability Act](#) and related executive orders, citing specific religious freedom violations;
- Appoint a Special Envoy to Sudan and South Sudan and ensure that religious freedom is a priority for that office;
- Press the government of Sudan to implement reforms in the Action Plan presented by the State Department since 2015 and to undertake the following actions:
 - Repeal apostasy, blasphemy, and other laws—including all relevant

articles in the 1991 Criminal Code and state public order laws—that violate Sudan's international commitments to freedom of religion or belief and related human rights;

- Lift government prohibitions on church construction, issue permits for the building of new churches, create a legal mechanism to provide compensation for destroyed churches and address future destructions if necessary, and cease interference in churches' internal affairs;
- Revive and strengthen the Commission on the Rights of Non-Muslims to protect religious freedom for non-Muslims in Sudan; and
- Hold accountable any person who engages in violations of freedom of

religion or belief, including attacking houses of worship, attacking or discriminating against any person because of his or her religious affiliation, and prohibiting any person from fully exercising his or her religious freedom.

The U.S. Congress should:

- Draft and pass a resolution to condemn religious freedom and related human rights violations committed by the Sudanese government, to commit U.S. government resources to investigating such violations, and to support Sudanese human rights actors advocating for religious freedom in Sudan.

COUNTRY FACTS

FULL NAME

Republic of the Sudan

GOVERNMENT

Presidential Republic, highly authoritarian regime

POPULATION

43,120,843

GOVERNMENT-RECOGNIZED RELIGIONS/FAITHS

Sunni Islam; small Christian minority

RELIGIOUS DEMOGRAPHY*

97% Muslim (primarily Sunni, as well as a range of Muslim minority groups and Sufi orders)

3% Christian (Coptic, Greek, Ethiopian, and Eritrean Orthodox; Roman Catholic; Anglican; Presbyterian; Pentecostal; Evangelical; Seventh-day Adventist; and Jehovah's Witnesses)

*Estimates compiled from the U.S. Department of State

BACKGROUND

Sudan was ruled by the government of then President al-Bashir and the National Congress Party (NCP), which al-Bashir also chaired, through the reporting period. The ruling regime grew out of the Sudanese Muslim Brotherhood movement and the former National Islamic Front party, which supported the 1989 coup that brought al-Bashir to power. Despite constitutional protections for religious freedom, the regime and government-appointed religious scholars have maintained tight control over religious expression in the country and repressed views other than the state-sponsored interpretations of Sunni Islam. Sudan has a rich history with Sufism, and Sufi communities exist and worship throughout the country, but also face constraints on the free practice of their faith. Human rights remain largely unprotected in Sudan; freedoms of assembly and expression are repressed, and that repression is closely interlinked with the repression of freedom of religion or belief.

Officials and security forces are permitted to act with impunity and have arrested, arbitrarily detained, and tortured individuals for peacefully protesting the regime and other activities otherwise legally protected by the Interim National Constitution (of 2005). The government also continued to censor journalists and media outlets from reporting on issues facing religious minorities and religious freedom and other human rights issues broadly.

Along with specific restrictions around coverage of economic and antigovernment protests, there are explicit “red lines” on human rights subjects that journalists cannot cross. Mosques and imams are also at risk of being targeted for speech critical of the regime or for supporting demonstrations by their followers.

At the end of the reporting period, historic anti-government protests intensified across Sudan. The government and the notorious National Intelligence and Security Services (NISS) brutally cracked down on protestors, arresting hundreds and killing dozens. As the protests challenging the regime grew, in February 2019, after the reporting period, al-Bashir stepped down from heading the NCP but consolidated power at the federal level through the declaration of a national year-long state of emergency and an overhaul of additional government posts. Ultimately, al-Bashir was removed as head of state on April 11, 2019, after the reporting period, after more than 30 years in power. While the protests arose in large part due to the economic crisis and steep rise in costs of basic items, they have also been fueled by popular discontent with the repressive government, including with its severe restrictions on religious freedom and other human rights. The 2018–2019 protests led to stronger and more sustained civic mobilization against the government than in past years and gave many Sudanese new hopes for a transition of government.

Since 2009, al-Bashir has been wanted by the International Criminal Court (ICC) on charges including genocide, crimes against humanity, and war crimes in the 2003–2004 conflict in Darfur, in western Sudan. Despite the order for his arrest, al-Bashir was able to travel internationally in 2018 without consequence. Armed conflict in areas of Darfur, Blue Nile, and South Kordofan continued at varying levels through 2018 in spite of ceasefire agreements.

USCIRF [traveled](#) to Khartoum and North Darfur, Sudan, in May 2018 to assess religious freedom conditions and met with a range of civil society actors including human rights activists and peace-builders, journalists, and religious communities, as well as government officials, including the Ministry of Guidance and Endowments, Fiqh Council, and National Human Rights Commission.

RELIGIOUS FREEDOM CONDITIONS 2018 Government Promotion of Sunni Islam and Treatment of Muslim Minorities

In 2018, the government of Sudan continued to broadly enforce its interpretation of Sunni Islam on the population. Although the Interim National Constitution avows the protection of freedom of religion, it also highlights the role of Islam as a primary source of law. Religiously based laws and penalties are found in the national Criminal Code, state laws, and public order laws. The police are officially charged with “preserving ethics, and morals of the society, and the public order,” which is often done on the basis of Islamic principles. Article 125 of the Criminal Code (1991) outlaws blasphemy against any religion and carries the penalty of up to a year imprisonment, a fine, or lashes. However, in practice the application of the law has generally privileged Islam. Article 126 of the Criminal Code (as amended in 2015) criminalizes apostasy and applies to Muslims who renounce or advocate for the renunciation of Islam (such as by proselytizing), or who question or criticize the Qur’an, the Sahaba, or wives of the Prophet Muhammad. It carries the death penalty except in some cases

where a person recants his or her disavowal of Islam. Under the state’s interpretation of Islamic law, certain sexual activity is criminalized with possible penalties ranging from imprisonment to death.

In 2018, USCIRF met with and received information about multiple individuals charged with apostasy for expressing theological views that differ from the government’s preferred interpretation, particularly members of minority Muslim communities. Government officials were reluctant to acknowledge the presence of Shi’a

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Islam in the country, viewed Shi’a communities through a geopolitical lens as enmeshed with Iran, and infringed on their freedom of religion. The government also repressed members of the Quranist community (Muslims who believe

solely in the teaching and authority of the Qur’an) and Republican Brothers and Sisters (a movement focused on Islamic reform in Sudan), including by harassing students or demanding that they follow certain Islamic practices. Minority Muslims also reported being dismissed from their jobs or facing other ill treatment by society and officials. Some shared with USCIRF how their members have been beaten and allegedly tortured over their religious beliefs. The government also attempted to forcibly prevent adherence to atheism or secularism. In 2017, authorities arrested Mohamed Salih Aldsogi on apostasy charges after he sought to change the religion field on his national identification card from “Muslim” to “nonreligious.” A judge declared him mentally unfit to stand trial and dismissed the charges. In February 2018, Aldsogi sought to challenge article 126 in court, but the Sudanese Constitutional Court dismissed the case. In addition, although the government nominally recognizes Sufi councils in various states, it nevertheless reportedly monitors and restricts their activities. Civil society interlocutors also noted that some mosques are monitored during their Friday sermons.

Persecution of Christians

Persecution of Christians in Sudan occurs largely by the actions of government, security, and police officers.

Since the separation of Sudan and South Sudan in 2011, the government of Sudan has stated that most Christians remained in or moved to South Sudan and that 97 percent of the population is Muslim. However, numerous Christian communities still exist in Sudan, and at the end of the reporting period Sudan was the largest refugee-hosting country in the region with [more than 850,000 refugees](#) from South Sudan—higher by around 80,000 refugees than were [reported at the beginning of 2018](#).

USCIRF has observed continued persecution of Christians in Sudan [since 2011](#). While some groups such as the Jehovah’s Witnesses report positive experiences and the ability to worship, others experience ongoing difficulties. Christians from the Nuba Mountains are uniquely targeted, highlighting the convergence of discrimination against religious and ethnic minorities by the government. For example, security and land authorities particularly target members and evangelical church leaders of the Sudanese Presbyterian Evangelical Church (SPEC) and Sudanese Church of Christ (SCOC). During USCIRF’s meetings in 2018, evangelical leaders said that the Ministry of Guidance and Endowments has directly interfered in their church affairs since

2012. SCOC and SPEC interlocutors reported officials confiscating their papers documenting property rights. In 2016, Sudanese authorities placed 27 churches on a list to be destroyed, claiming issues with

zoning and illegal construction, but reportedly rescinded the order in 2017. Nevertheless, in February 2018, authorities bulldozed a SPEC church in the Hajj Yousif neighborhood in Khartoum. Church members told USCIRF that police gave no notice and demolished the building in spite of a pending decision on the church’s property rights. Police confiscated belongings from within the church, including all of the church’s books, and reportedly gave them to another individual claiming ownership of the land. Sudanese officials told USCIRF that churches were not uniquely targeted, and claimed that mosques had also been demolished for similar issues with zoning regulations.

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In 2018, security forces were still able to harass and arrest Christians and other minorities, sometimes arbitrarily, without consequence or respect for the rule of law. On October 10, NISS forces in Darfur arrested and allegedly tortured 13 Christians—some said to be recent converts from Islam—during a prayer meeting and charged the leader of the group with apostasy. All were reportedly released by October 23. Also in October, in response to a legal case against the NISS, the agency confirmed that it previously arrested Reverend Noah Ibrahim and confiscated his car because it belonged to a “foreign organization working in Christian evangelism,” and justified their actions based on national security laws.

In August 2018, authorities dismissed the cases of and released eight SCOC leaders who were arrested in 2017. Minority religious leaders and their lawyers have been monitored, harassed, and frequently arrested for various reasons such as proselytization or speaking out against the government, accused of criminal activity, detained, forced to defend themselves in court, fined, and released, on a repeated basis. One Muslim human rights lawyer, who advocated for non-Muslims’ rights and was repeatedly arrested and harassed, was forced to

flee Sudan in 2018. Some of these arrests have been due to religious leaders’ protest over authorities’ interference in church affairs and leadership decisions.

Interlocutors also informed USCIRF about occasional harassment of

Christians by a Salafist group during Christmastime, in particular by the hanging of offensive posters.

Women and Religious Freedom

In 2018, authorities continued to target women with arrest, harassment, and detention by applying existing religious laws. In particular, the enforcement of Sudan’s public order laws under the 1991 Criminal Act and other state and local laws continued to uniquely impact women through criminalization of indecent dress and other offenses based on state interpretations of Islamic principles. Penalties for these offenses regularly include imprisonment, fines, and lashings, and

research by Sudanese nongovernmental organizations (NGOs) has shown that women have been more likely to receive harsher penalties for some infractions than men. Determinations for arrests are at the discretion of public order police. Public order cases are common; according to Sudanese civil society actors, more than 40,000 public order cases are processed annually in Khartoum State alone.

Women's rights groups and legislators continued to fight in 2018 for legislative reform. However, one official contended that the existing laws are important in order to maintain the protection of women and girls in Sudanese society; he said the laws are also relevant for non-Muslims. In January 2018 in El Fasher, North Darfur, military forces reportedly publicly beat women and girls for wearing indecent dress. In October, authorities arrested a Sudanese singer for indecent dress, but her trial was postponed indefinitely following protests by civil society actors.

Child marriage rates remained high; the United Nations International Children's Emergency Fund (UNICEF) [estimates](#) Sudan's rate to be at 34 percent, and girls as young as 10 are legally allowed to be married with the consent of a male guardian and a court decision. Some interlocutors noted that in some areas, hardline religious groups campaigned against reforms to marriage age laws. The case of Noura Hussein, a woman who was forcibly married at age 15, received substantial international attention in 2018. In May 2018, she was sentenced to death for the murder of her husband after she attempted to defend herself from marital rape. After Hussein's lawyers appealed the sentence, the court overturned her death sentence and instead handed her a prison term of five years and "blood money" (*diya*). At the end of the reporting period she remained imprisoned in the Omdurman women's prison, and she and her family members continued to face risks of violent social reprisals. Throughout 2018, a range of civil society actors and some government actors, including female legislators, worked to end child marriage in states across Sudan through both legal reform initiatives and social campaigns.

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U.S. POLICY

The United States' relationship with Sudan remained the same in 2018, though it made some progress in promoting religious freedom reforms in the country. Throughout the year, U.S. Chargé d'Affaires Steven Koutsis and other U.S. officials emphasized the importance of religious freedom reforms with the Sudanese government and effectively connected with religious communities and minorities. In May 2018, the United States and Canada cohosted a roundtable on religious freedom issues in Sudan that involved the participation

of government officials, religious leaders, and other members of civil society. Toward the end of 2018, the government of Sudan began to address proposals within the religious freedom action plan

that the State Department has recommended to Sudan multiple times since 2015.

In [October 2017, the United States lifted economic sanctions](#) on Sudan as a result of reported progress made in the five key areas outlined in phase one of U.S.-Sudan bilateral negotiations, including ceasing hostilities in conflict areas, improving delivery of humanitarian aid, and strengthening counterterrorism and regional security efforts. The easing of sanctions led to improvements in bilateral relations, but did not improve the human rights situation or lead to economic improvements in Sudan, and organizations continued to report difficulties with facilitating humanitarian aid. U.S. human rights organizations pushed the U.S. government to do more to hold Sudan accountable for ongoing human rights violations. Phase two of the bilateral negotiations [began in November 2018](#) and committed the United States to removing Sudan from the State Sponsors of Terrorism list if criteria in six key areas are met; this includes a track on human rights reforms with an emphasis on freedom of religion or belief. During 2018 and following the launch of phase two negotiations, Sudan began concrete preparations for a religious freedom workshop, which it held after the reporting period on [January 29, 2019](#). The workshop made particular progress on issues concerning non-Muslims. For example, the government of Sudan

agreed to publish rules and regulations concerning the construction of houses of worship and obtaining land permits, and froze a previous Khartoum State decision requiring Christian schools to hold classes on Sundays and observe the Friday-Saturday weekend. However, civil society actors were critical of the involvement of security services and the lack of inclusion of civil society actors in the workshop and advance preparations.

The State Department and U.S. Agency for International Development (USAID) continued to fund development, peace, and security initiatives in Sudan. The United States remained one of the largest donors of humanitarian assistance to Sudan, including [more than \\$20 million in humanitarian response](#) to conflict-affected populations. Sudan and the United States have not exchanged ambassadors, but maintain embassies and Chargés d’Affaires in the respective countries.

The State Department last redesignated Sudan as a CPC in November 2018. In lieu of prescribing sanctions specific to the CPC designation, the State Department again applied “double-hatted” sanctions against Sudan, in this case limitations on both assistance to the government of Sudan and on modifying loans and loan guarantees held by the government of Sudan.