Questions

1. Please provide current information concerning the treatment of Christians in Sudan.
2. Is state protection available to Christians who are resident in all areas of Sudan? If not, are there any areas where they could reside without fear of harm and receive such protection?
3. Are failed returnees or asylum seekers targeted by government authorities?
4. What information is there about the treatment of returnee failed asylum seekers to Sudan?

RESPONSE

1. Please provide current information concerning the treatment of Christians in Sudan.
2. Is state protection available to Christians who are resident in all areas of Sudan? If not, are there any areas where they could reside without fear of harm and receive such protection?

The ‘CIA World Fact Book’ 2008 describes a short history of the recent conflicts between the warring parties and their implications in Sudan as follows:

Military regimes favoring Islamic-oriented governments have dominated national politics since independence from the UK in 1956. Sudan was embroiled in two prolonged civil wars during most of the remainder of the 20th century. These conflicts were rooted in northern economic, political, and social domination of largely non-Muslim, non-Arab southern Sudanese. ...The final North/South Comprehensive Peace Agreement (CPA), signed in January 2005, granted the southern rebels autonomy for six years. After which, a referendum for independence is scheduled to be held. A separate conflict, which broke out in the western region of Darfur in 2003, has displaced nearly 2 million people and caused an estimated 200,000 to 400,000 deaths. As of late 2006, peacekeeping troops were struggling to stabilize the situation, which has become increasingly regional in scope, and has brought instability to eastern Chad, and Sudanese incursions into the Central African Republic (Central Intelligence Agency, 2008, The
Commenting on the country’s political, religious and geographical differences and their impacts on the treatment of minority religions in Sudan, the US Department of State notes that:

Whereas the Government of Southern Sudan (GOSS) generally respected the rights of Christians and Muslims in the 10 states of the South as provided for in its separate 2005 Constitution of Southern Sudan, the Government of National Unity (GNU) continued to place restrictions on Christians in the North. The National Congress Party (NCP) that dominates the GNU embraces Islam as the basis for the country's laws, institutions, and policies…

Islam predominates in the North, while traditional indigenous beliefs (animism) and Christianity are prevalent in the South. Some Muslim leaders estimate the Muslim population to be more than 32 million, or above 80 percent of the total population…

The INC [the 2005 Interim National Constitution] preserves Shari'a as a source of legislation in the North, while the Constitution of Southern Sudan establishes "the traditional laws, religious beliefs, values, and customary practices of the people" as a source of legislation in the South…

The Government favored Muslims over Christians in the North. Many southern Christians living in the North suffered from social, educational, and job discrimination, although religion was only one of the many factors leading to discrimination. Muslim religious organizations affiliated with opposition political parties, such as Al-Ansar and its political wing, the Umma National Party, also claimed to suffer discrimination by Islamists in the governing NCP, although it was unclear whether the alleged discrimination was due to religious or political affiliation. In prior reporting periods, some Muslims in the North also complained that the
GNU was attempting to curry favor with the West by placing Christian leaders in positions of power within the Government…

Although there is no penalty for converting from another religion to Islam, converting from Islam to another religion is punishable by death in the North. This practice has never been carried out by the current Government. Muslims in the North who attempt to convert to another faith, however, are generally regarded as outcasts by their families and face severe social pressure to recant.

The INC and the Constitution of Southern Sudan specifically prohibit discrimination on the basis of religion for candidates for the National Civil Service, although Muslims have traditionally been chosen for these positions over Christians. However, since 2005 there has been a marked increase in the number of Christian members in the National Assembly, the Council of States, and Cabinet. There are many Christian lawyers in the North and several Christian judges for civil law cases involving non-Muslims…

…strong Muslim social pressures in the North against proselytizing and Shari'a apostasy penalties within the North's legal code effectively limited Christian missionary activities in the region (US Department of State 2007, International Religious Freedom Report: Sudan, 14 September – Attachment 2).

However, the same report indicates at the same time that there were some improvements in treatment of Christians in parts of the country in the recent years. As examples, it lists:

- The 2005 adoption of the INC and the Constitution of Southern Sudan continued to improve government and societal acceptance of minority religious groups in both the North and the South.

- The February 2007 appointment of the Commission for the Rights of Non-Muslims in the National Capital fulfilled a key commitment by the GNU to address religious freedom violations in the North (however, the Commission was established late, only convened once, and did not implement any decisions or rulings during the reporting period.)

- There was little Christian media programming in the North, and little local broadcasting of any kind in the South. However, the GNU permitted 24 hours of Christian broadcasting on Khartoum television on Christmas Day 2006. This was the first time such programming had been permitted, reaching a broadcast area of about 30 miles around Khartoum.

- There were noted improvements in the number of building permits issued for churches (US Department of State 2007, International Religious Freedom Report: Sudan, 14 September – Attachment 2).

Similarly, the Department’s Country Reports comments that:

While the government generally allowed non-Muslims to worship freely in approved places of worship, authorities in the north continued to restrict Christian activities. The government had not formally established the Commission for the Protection of the Rights of Non-Muslims in Khartoum State, as mandated by the CPA, at year's end.

The constitution of Southern Sudan also provides for freedom of worship in the 10 states of southern Sudan, and the Government of Southern Sudan generally respected the rights of southerners to practice the religion of their choice (US Department of State 2007, Country Reports on Human Rights Practices – Sudan, 6 March – Attachment 3).
However, the same *Country Reports* continues that:

There were reports that security forces harassed and at times threatened to use violence against persons on the basis of religious beliefs and activities; it was unclear whether the harassment was for religious or political reasons (US Department of State 2007, *Country Reports on Human Rights Practices – Sudan*, 6 March – Attachment 3).

Referring to specific incidents of raids against and detention of Christians in 2006 and 2007, the 2007 *International Religious Freedom Report* also comments that:

On January 1, 2007, police raided the seat of the Episcopal Church of Sudan Diocese of Khartoum with tear gas, injuring six worshippers. The raid occurred during an annual prayer service to mark the coming of the New Year and marked the first time since the signing of the 2005 CPA [Comprehensive Peace Agreement] that authorities in Sudan have disrupted a religious gathering.

In May 2006 officers of the National Intelligence and Security Service detained and beat Christian leaders who met with a Muslim woman who wanted to convert to Christianity. The Government did not charge the woman with apostasy, and she returned to her family (US Department of State 2007, *International Religious Freedom Report: Sudan*, 14 September – Attachment 2).

Further contrast is found in treatment of Christians between the north and the south of the country:

- Although there was no evidence of forced conversions in the period covered by this report, there is considerable social pressure for non-Muslims in the North to convert to Islam. The President frequently ended his public speeches with a call for victory over the ‘infidels’, and state media outlets routinely referred to Christians as ‘non believers’. Christian parents reported that their children enrolled in public school were commonly asked why they were not Muslims…Although there is no penalty for converting from another religion to Islam, converting from Islam to another religion is punishable by death in the North. This practice has never been carried out by the current Government. Muslims in the North who attempt to convert to another faith, however, are generally regarded as outcasts by their families and face severe social pressure to recant (US Department of State 2007, *International Religious Freedom Report: Sudan*, 14 September – Attachment 2).

- In the south, Christians, Muslims, and followers of traditional indigenous beliefs generally worshiped freely … Although the Government of Southern Sudan officially favored secular government, Christians dominated the bureaucracies. Local government authorities often had a very close relationship with local Christian religious authorities… The constitution of Southern Sudan also provides for freedom of worship in the 10 states of southern Sudan, and the Government of Southern Sudan generally respected the rights of southerners to practice the religion of their choice (US Department of State 2007, *Country Reports on Human Rights Practices – Sudan*, 6 March – Attachment 3).

- Following the signing of the Comprehensive Peace Agreement on 9 January 2005, Freedom House’s Center for Religious Freedom released a statement “‘This is a time of jubilation for the people of southern Sudan, and it is also a victory for religious freedom,’ said Center Director Nina Shea. ‘For the first time in a generation, the south Sudanese people have

- Referring to Religious Intolerance in Northern Controlled Areas, the 2002 Christian Solidarity Worldwide Annual Report comments that Christian leaders and church employees face restrictions regarding their freedom of movement and are subjected to a lengthy and cumbersome screening process before being allowed to travel abroad. What is more the government is in the habit of seizing church property without compensation, as was the case with the Catholic Club and the ECS church building in el Obeid, which was initially transformed into a museum and then became a mosque (‘Sudan – Annual Report 2002’ 2001, Christian Solidarity Worldwide, December [http://www.csw.org.uk/Protest/Sudan%20Report%202002.pdf - Accessed 25 June 2003 – Attachment 5). It lists many more incidents of mistreatment of Christian churches and their members.

Also a recent report by a Christian organization refers to a police attack on up to 800 Christians during the 2007 New Year’s eve meeting in the capital Khartoum although it was denied by the police (‘Sudan Christians Fear New Attacks as Bombings Continue’ 2007, BosNewsLife News Center, 21 January [http://www.worthynews.com/christian/sudan-christians-fear-new-attacks-as-bombings-continue/ - Accessed 14 February 2008 – Attachment 6).

Another report relevant to the police capability to protect Christians or citizens in general comes from the US Department of State 2007, Country Reports on Human Rights Practices – Sudan. It comments that:

- Police corruption was a problem, and police officers supplemented their incomes by extorting bribes from the local civilians.

According to UNMIS [UN Mission in Sudan], police in Southern Sudan lacked resources to effectively protect the local population. In Maridi, in West Equatoria State, police lacked uniforms, radios, sufficient vehicles, and office equipment. The local jail had only one cell, with no toilet. To compensate for the lack of resources, police required complainants to pay three dollars (5,000 Ugandan shillings) before they would investigate their cases... Local judicial personnel also were inadequately trained, with only one judge having a law degree. Local police also complained that SPLM officials routinely intervened in police affairs, forcing police to release relatives and friends without following legal procedures (US Department of State 2007, Country Reports on Human Rights Practices – Sudan, 6 March – Attachment 3)

- Furthermore, a 2006 report by the Congressional Research Service of the Library of Congress states that:

Sudan has been designated a Country of Particular Concern for severe violation of religious freedom since 1999.... The government of Sudan views itself as the protector of Islam and considers Islam as state religion. The regime is closely identified with Islamic extremist groups, including Hamas and Hezbollah. Political opponents are viewed as anti-Islam and religion has been a key factor in the 20-year civil war that has pitted the largely Christian South against the Muslim-dominated North. (‘Humanitarian Crisis, Peace Talks, Terrorism, and U.S. Policy’
A somewhat old communication between the RRT and Bishop Issam Darwish, Bishop of the Melkite Catholic Church of Australia and New Zealand describes a grim situation faced by Christians in Sudan in 2002. He states that “he has documents from Sudan, from an Arabic court, indicating that Christians can easily be killed”. (Record of telephone conversation between the RRT and Bishop Issam Darwish, Bishop of the Melkite Catholic Church of Australia and New Zealand dated 29 April 2002 - SDN15128: Treatment of Christians in Sudan - Attachment 15)

3. Are failed returnees or asylum seekers targeted by government authorities?

Question 6 of the RRT Research Response dated 4 February 2008 looks at the question (Research & Information 2008, Research Response SDN32851, 4 February - Attachment 8). A full text of Question 6 of the response is reproduced below (Attachment numbers were changed):

4. What information is there about the treatment of returnee failed asylum seekers to Sudan?

The most recent information found on the above is from the 10th European Country of Origin Information Seminar held on 1-2 December 2005 in Budapest. The treatment of returnee failed asylum seekers to Sudan is commented on by Mr Hans Friedrich Schodder (Senior Protection Officer of the UNHCR Representation in Khartoum in 2005) and Mr Homayoun Alizadeh (who was from March 2001 to June 2005, Head of Office of the United Nations High Commissioner for Human Rights in Khartoum). These two experts did not believe that returnees would face severe problems or were particularly targeted upon return to Sudan, or that they would automatically be arrested at the airport; however, such persons might face surveillance or questioning from security forces if they are seen as a threat to the state or for political reasons:

3.10.3. Return (of Failed Asylum Seekers)

HA [Homayoun Alizadeh]:

Failed asylum seekers won’t face severe problems upon return, as long as they are not recognized as a threat to the state. However, if they are seen as a threat – there is no guarantee. In the beginning of the 90ies there were cases of people who just disappeared.

A lot of persons who left the country after the coup [in 1989] returned from exile. Of course they feared that they would be arrested at the airport, but nothing happened. However, this does not mean that the situation will continue like this.

HS [Hans Friedrich Schodder]:

In the past persons who left the country after the coup and stayed away for more than one year, would be questioned upon return automatically. This is no routine policy anymore; also the practice of arrests straight at the airport is not common anymore at the moment. Returnees might get visits from security officers later and be questioned or warned not to start any “funky business” in Sudan. I have no information that these people are particularly being targeted. Instead, some people who have been abroad for many years,
maybe for political reasons, have come back to Khartoum. They are subject to close surveillance and they know that they cannot engage in political activities. They also know that they can be arrested, questioned, and detained at any time. They feel a little bit more secure if they obtained a foreign passport before their return. But if they are still Sudanese citizens, they have no protection at all.

There have been some positive developments, but the security is monitoring the situation very closely and it is quite unpredictable (ACCORD 2005, 10th European Country of Origin Information Seminar, United Nations High Commissioner for Refugees website, 1-2 December, p. 23 http://www.unhcr.org/cgi-bin/texis/vtx/refworld/rwmain/opendocpdf.pdf?docid=4451d6a04 – Accessed 29 January 2008 – Attachment 9).

The Danish Immigration Service’s August 2001 report on its fact-finding mission to Khartoum in late 2001 refers briefly to the situation of returnee failed asylum seekers in its discussion on the general conditions of entry into Sudan for citizens:

Abdulbagi Albushra Abdulhay, Major General, Director of Passport and Immigration, General Administration, Khartoum, denied that Sudanese citizens who had stayed abroad for some time would be arrested or questioned by the authorities on their return home. He said that no Sudanese would be questioned about his circumstances while abroad, however long he had been away, and whether he had been in Western Europe, the USA or other countries, with the exception of Israel. If a person had been in Israel he would be questioned.

He also explained that Sudanese who worked abroad were obliged to pay tax on their foreign income either at a Sudanese Embassy or to the tax authorities in Sudan. Abdulhay said that no Sudanese had been arrested or even questioned on their return from abroad unless they had some unresolved business with the Sudanese tax authorities or were suspected of previous criminal activities in Sudan.

Abdulhay explained that the airport police at Khartoum airport had a register of all wanted persons. The lists contain information about approximately 1700 Sudanese citizens who are wanted by the authorities. The lists are drawn up manually and there is no wanted persons database. Abdulhay also said that any foreigner could enter Sudan freely. Even former militant members of the opposition who had fought against the Government could enter without having problems with the authorities. He added that there was an amnesty for such people in Sudan.

Anyone entering the country who appears on the list and is identified by the authorities will immediately be arrested and handed over to the Detective Police/Central Intelligence Department (CID) at the airport, which after further investigations may hand him over to the security service. A source at the airport police said that this happened three or four times a month. However, the head of the CID, Colonel Emad Kalafalla M. Khier, said that five or six people were handed over every day. This figure included those travelling on false passports.

Waltmans-Molier said that the Netherlands Embassy did not follow up any deportations of rejected asylum applicants from the Netherlands. There was no form of monitoring and the Embassy therefore did not know what subsequently happened to those who had been returned. The Embassy was not informed in advance by the Netherlands authorities about forthcoming deportations, nor was it told if these were happening with or without a Dutch police escort.

Waltmans-Molier was not aware of the existence of an alleged Sudanese decree called Decree No 4/B/307 from the head of the general security apparatus to senior border guards. However, she knew that it was the practice for Sudanese citizens who had been away from the country for
a couple of years or more and who were now returning home to be questioned by the Sudanese police on their arrival. Often this would be because of a failure to pay tax. The Netherlands Embassy was not aware of any examples of people suffering any harm while being questioned.

Questioning was carried out by the immigration authorities or by the security service and was, according to Waltmans-Molier, quite normal. She mentioned a case in which a Sudanese woman had been returned from the Netherlands to Khartoum. The woman claimed to be the member of an opposition party but could not give any account of its ideology, and had been repeatedly questioned by the security service. The woman complained to the Netherlands Embassy but the matter was not felt to be serious and the Embassy had not heard that the woman had come to any harm. Waltmans-Molier did not have information about the number of Sudanese citizens sent back from the Netherlands in the last year.

A well-informed local source in Cairo said that Sudanese citizens in possession of a valid national passport could enter Sudan without any difficulty. However, if they only had a temporary travel document they would be questioned about their circumstances on arrival in Sudan. This applied only to those returning voluntarily to Sudan. The source had no information about conditions on entry for Sudanese citizens who were being forcibly repatriated to Sudan.

Johannes Lehne [Deputy Head of Mission, Embassy of the Federal Republic of Germany, Khartoum] said that Germany had never had problems with the deportation of rejected asylum applicants to Khartoum, either on entry or following entry. In the previous year a total of 15 people had been sent back to Sudan from Germany. Only in some individual cases had the deportation been followed up (Danish Immigration Service 2001, Report on Fact-finding Mission to Cairo, Khartoum and Nairobi Human rights situation, military service, entry and embarkation procedures in Sudan 8 to 19 August to 20 to 23 November 2001, 27 February, Section 3.1 – Attachment 10).

There is a considerable amount of current information on the views of the Sudanese government with regard to returnee asylum seekers specifically from Israel. During 2007 several thousand African asylum seekers entered Israel via Egypt, with a majority being from Sudan. In July 2007, the IRIN news website quoted the views of Sudan’s Minister of the Interior, who stated that returnees asylum seekers from Israel would be punished:

…African asylum seekers

Human rights organisations estimate that about 2,000 African asylum seekers have entered Israel so far this year. About 70 percent are from Sudan, including over 250 refugees from the Darfur region.

… Sudan’s Minister of Interior Zubair Bashir Taha said on 9 July that Sudanese law will be applied to all returning to the country, which observers take to mean that refugees who have been to Israel will be punished. The two countries consider each other “enemy states” (‘Sudanese asylum seekers take long bus ride to find bed for night’ 2007, IRIN News website, sourced from Reuters-AlertNet website, 9 July http://www.alertnet.org/thenews/newsdesk/IRIN/7089ab918c86a830b17f4395f41528e0.htm – Accessed 30 January 2008 – Attachment 11).

Human Rights Watch also referred to the situation of returnees to Sudan from Israel in a 3 November 2007 statement on Egypt’s forcible return of at least five asylum seekers to Sudan. HRW refers to the views on returnees from Israel of the Sudanese Foreign Minister and Sudanese Refugees Commissioner:
Forty-four Sudanese, three Ivorians and one Somali have been held in incommunicado detention since Israel forcibly transferred them to Egypt on August 18, after they crossed briefly into Israel. Twenty-three in the group are known to be refugees or to have made asylum claims. At the time of the transfers, Israel claimed that Egyptian President Hosni Mubarak had assured Israeli Prime Minister Ehud Olmert that Egypt would not return refugees to Sudan. Egypt has denied any such agreement, and will not acknowledge the group’s continued detention or provide any further information about them.

In addition to being forcibly returned to the armed conflict in Sudan, the five or more Sudanese could face persecution because they had sought refuge in Israel, which Sudan considers an enemy state. The Sudanese Foreign Ministry stated in September that visiting Israel was a crime. In July, the Sudanese Refugees Commissioner claimed that Sudanese refugees in Israel wanted to “implement Zionism agendas against Sudan,” and called on Egyptian authorities to “firmly penalize any Sudanese refugees if they were found trying to infiltrate through Egypt into Israel.”


For further reference, some recent reports of relevance (but not covered in the above RRT response) are listed below:

- ‘Judges block bid to deport Darfuris’ 2007, The Independent, 5 April – In the case of Home Office attempts to send three Darfuri asylum-seekers back to Sudan, the UK Court of Appeal ruled that deportations were "unduly harsh" and blocked the deportations. – Attachment 13.

- 'I was expecting to die' 2007, Guardian, 28 March – A report on the torture suffered by a 31-year-old Sadiq Adam Osman, Darfuri asylum seeker ended up in Khartoum after his application for asylum in the UK had been turned down and he had been sent back to Sudan in February 2007 – Attachment 14.

List of Sources Consulted

Internet Sources:
Government Information & Reports
United States Department of State website http://www.state.gov/
United Nations (UN)
United Nations High Commissioner for Refugees website http://www.unhcr.org/
ReliefWeb website http://reliefweb.int/
Non-Government Organisations
Sudan Human Rights Organization – Cairo website http://www.shro-cairo.org/
Human Rights Watch website http://hrw.org/
Amnesty International website http://www.amnesty.org/
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- ISYS (RRT Country Research database, including Amnesty International, Human Rights Watch, US Department of State Reports)
- RRT Library Catalogue

**List of Attachments**


11. ‘Sudanese asylum seekers take long bus ride to find bed for night’ 2007, IRIN News website, sourced from Reuters-AlertNet website, 9 July. [http://www.alertnet.org/thenews/newsdesk/IRIN/7089ab918c86a830b17f4395f41528e0.htm](http://www.alertnet.org/thenews/newsdesk/IRIN/7089ab918c86a830b17f4395f41528e0.htm) – Accessed 30 January 2008


14. 'I was expecting to die' 2007, *Guardian*, 28 March. (CISNET Sudan CX174622)