

Introduction

Since protests erupted across Sudan in December 2018, the country has undergone substantial political changes. Sudan's president of nearly 30 years, Omar al Bashir, was ousted on 11 April 2019, and has since been replaced by a transitional government. The removal of al Bashir brought an end to three decades of oppressive rule characterised by severe and widespread violations of human rights, including of the right to freedom of religion or belief (FoRB).

In August 2019 the Transitional Government was appointed. The transitional administration is composed of the Sovereign Council of Sudan, currently chaired by Lt. Gen. Abdel Fattah Abdelrahman Burhan, the Civilian led government, led by Prime Minister Abdalla Hamdok, and a yet to be appointed legislative body. The transition period is expected to run for 39 months, ending in 2022.

2019 protests

Throughout the first half of 2019, Sudan witnessed nationwide demonstrations in which citizens from diverse backgrounds came together to call for systematic reforms. The protests resulted in the deposition of President Omar al Bashir and the subsequent transfer of presidential power to the Sovereignty Council of Sudan. The council consists of 11 members: five representing the military, five representing the Forces for Freedom and Change – the political arm of the protest movement – and one civilian jointly elected by both groups. The jointly elected civilian member is Coptic Christian lawyer Raja Abdul Masih.

The need to fully investigate the widespread violence and human rights violations against protesters observed throughout the demonstrations remains outstanding. Serious violations reported during attacks on protesters include the targeting of hospitals and medical staff; the use of torture and other cruel, inhuman, and degrading treatment; sexual and gender-based violence; and attempts by the state to limit information about events on the ground by shutting down internet and communications networks.

On 3 June 2019 Rapid Support Forces (RSF) launched an attack on sit-in sites in Khartoum which resulted in at least 128 deaths, over 70 verified reports of sexual assault, and at least 650 people injured. In the aftermath of the attacks, the Transitional Military Council (TMC) shut down the internet. This egregious violation of the right to freedom of expression also prevented the international community

from accessing timely and accurate information on the situation in the country. The internet blackout was lifted on 9 July, over five weeks after the massacre took place.

Numerous videos subsequently emerged, which the BBC compiled into a documentary entitled 'Sudan's Livestream Massacre'.¹ The documentary showed a large RSF force firing live rounds at protesters, as well as the recovery of bodies with blocks tied to their feet from the Nile. The BBC documentary also produced evidence to suggest the attack was planned in advance, including an interview with an RSF captain who alleged it was ordered by leader of the RSF General Mohamed Hamdan 'Hemedti' Dagalo himself.

Hemedti is currently deputy chair of Sudan's Sovereign Council and is considered to be the most powerful person in the country. His forces continue to commit violations across the country.

Criminal Code

Indecent dress is criminalised under Article 152 of the country's Criminal Code, which was adopted in 1991. These laws have historically been used to target religious minority women, who have been arrested, fined and given lashes on public indecency charges. On 25 June 2015 twelve Christian women from the Nuba Mountains were arrested as they left the El Izba Baptist Church in Khartoum wearing trousers and skirts. Two of the women were subsequently found guilty of indecent or immoral dress and fined.

Until recently, Article 126 of the Code criminalised apostasy, and stipulated that those found guilty were to be sentenced to death. In May 2014 Meriam Ibrahim was sentenced to 100 lashes for adultery, and to death by hanging for apostasy by the Public Order Court in El Haj Yousif, Khartoum. The court ruled that, despite being raised by her Christian mother, Ms Ibrahim was a Muslim because her father was Muslim. In a welcome development, in July 2020 the government announced the cancellation of Article 126, officially abolishing the death penalty for apostasy.

Despite this, the Code continues to contain provisions that limit personal freedoms and criminalise blasphemy. Thus far there have been no indications that these provisions are to be amended.

¹ BBC World News 'Sudan's Livestream Massacre', 12 July 2019
<https://www.bbc.co.uk/news/av/world-africa48956133/sudan-s-livestream-massacre>

Recent developments

Limited positive developments

In addition to the cancellation of Article 126 of the Criminal Code, 2020 saw some limited positive developments to the situation of FoRB and human rights in Sudan. In February 2020, the transitional government issued a statement pledging to hand over those indicted by the International Criminal Court (ICC) for atrocity crimes. It remains to be seen whether this will be enacted, and if former President al Bashir will be among those handed over.

In May 2020 the government announced the creation of an independent national commission for religious freedom and a Ministry for Peace and Human Rights.

In October a criminal court in Omdurman dismissed all charges against eight leaders of the Sudanese Church of Christ (SCOC) who were initially arrested on 23 August 2017 for refusing to hand over administrative control to a government-appointed and unelected church committee led by Mr Angelo Alzaki. However, the committee was still in control in February 2021 despite the Supreme Court decision that ordered its dissolution.

In December the Governor of Gezira state, Abdalla Ali Ahmed Idriss, authorised the construction of four church buildings on empty land. The last time land was apportioned for church construction was after the signing of the 2005 Comprehensive Peace Agreement, when a South Sudanese minister granted land to the Apostolic Full Gospel Church.

While these developments are welcome, Sudan continues to face multiple human rights and FoRB concerns which must remain under intense international scrutiny. There are also concerns that courts do not consistently implement change, with reports of individuals being convicted for 'crimes' that had been removed from the Criminal Code.

Attacks on Christians and churches

From December 2019 to January 2020 a church building belonging to the SCOC in Jabarona, Omdurman was attacked on four separate occasions. In addition to the attacks, church leaders received serious threats from Muslim extremists living in the area, who warned that they would not allow churches to be built in the area even if official permission was granted.

The Ministry of Religious Affairs and Endowments formed a committee to investigate the attacks and threats; however, the church was attacked once again on 14

August 2020, and on 22 August 14 individuals submitted a letter to the Ombada local authority asking them to clear the square where the church is located within three months and threatening to undertake the action themselves if this was not done. The signatories to the letter have since been put on trial, marking the first prosecutions for damaging a church in the nation's history.

On 29 February 2020 a SCOC church was set on fire in Ombadda Block 18, Omdurman, Khartoum's second city. The perpetrators remain unknown.

On 9 March CSW's sources reported that extremists had razed the Sudanese Evangelical Presbyterian Church in Bout Town, El Tadamon locality, Blue Nile state, to the ground. The church building and all property within it, including furniture, bibles and other religious materials, were destroyed.

On 20 June Mariel Bang, a South Sudanese Christian, was killed, and four others were seriously injured when they were attacked by a mob of young men shouting "Allah Akbar" in the Shagla area of Omdurman.

On 3 January 2021 a church building belonging to the Sudanese Church of Christ (SCOC) in Tamboul, Gezira state, was burned down. CSW's sources report that a thirteen-year-old boy set fire to the church using petrol from a motorcycle after an adult instructed him to do so.

Curricula issues

In January the Director of the National Centre for Curricula and Educational Research, Dr Omar El Garai, resigned after Prime Minister Hamdok instructed the centre to halt the creation of new school curricula, which for the first time treated all religions equally, following intense opposition from Islamists.

UNAMID withdrawal

On 31 December 2020 the UN peacekeeping mission in Darfur, known as UNAMID, concluded its mandate, with the withdrawal of all uniformed and civilian personnel from Sudan intended to be completed by 30 June 2021.

The withdrawal prompted serious concerns from human rights groups as coming too soon into Sudan's transitional period, particularly as violence continues to be reported in the region. On 19 January 2021 Sudanese media outlet Radio Dabanga reported that an ongoing massacre in El Geneina, West Darfur, had left at least 129 people dead and 198 injured.² Thousands have also reportedly fled the

² Radio Dabanga, 'Death toll of West Darfur massacre now at least 129', 19 January 2021

<https://www.dabangasudan.org/en/all-news/article/death-toll-of-west-darfur-massacre-now-at-least-129>

region. At least 14 people died and eight were wounded when Janjaweed militia attacked, looted and burned down 11 villages in Eastern Jebel Marra, West Darfur, between 24 and 31 January. UN agencies estimate 100,000 people were displaced in mid-January in South and West Darfur in fighting between the Arab and Massalit tribes.³

On 17 January lawyer and human rights defender, Faisal Youssef Mohamed and two of his brothers were murdered in his home in El Geneina, West Darfur, by an unidentified armed group.

Recommendations

To the transitional government of Sudan:

- Conduct detailed investigations into violence and human rights violations committed during the nationwide demonstrations from December 2018 to August 2019, ensuring that all those found complicit in violations are brought to justice.
- Repeal all legislation that prevents the full enjoyment by every citizen of fundamental rights, including the right to freedom of religion or belief.
- Conduct detailed investigations into all attacks on churches and places of worship, holding perpetrators to account and ensuring that vulnerable communities are protected.
- Work with the government of South Sudan to increase efforts to de-escalate tensions between the various communities in the Abyei region, and to implement the Abyei protocol of the Comprehensive Peace Agreement in full.
- Ensure that the GIS is prevented from carrying out the severe violations of human rights of its predecessor, the NISS.
- Co-operate fully with the International Criminal Court by ensuring that all those who have been indicted are handed over and tried.

To the United Nations Human Rights Council:

- Maintain a mandate to assess, verify and report on the situation of human rights in Sudan to the Council, with a view to making recommendations on technical assistance and capacity-building for addressing human rights violations in the country.

To the international community:

- Re-establish a peacekeeping presence in Darfur with a mandated to protect IDPs and other civilians.

³ VOA News, 'Hunger Grips Thousands Displaced by Inter-Communal Violence in Darfur', 30 January 2021

<https://www.voanews.com/africa/hunger-grips-thousands-displaced-inter-communal-violence-darfur>