

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 Sudan's president of nearly 30 years, Omar al Bashir, was ousted on 11 April 2019, and has since been replaced by a transitional government.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 Sovereignty 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 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 was Coptic Christian lawyer Raja Abdul Masih.

There remains a need to fully investigate the widespread violence and human rights violations against protesters observed throughout the demonstrations. Serious violations reported during attacks on protesters include the targeting of hospitals and medical staff; the use of torture and other inhuman, 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 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.

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.

The Code also contains provisions that limit personal freedoms and criminalise apostasy and blasphemy. 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. The law also prohibits Muslim women from marrying a non-Muslim man, therefore, by marrying a Christian, Meriam was deemed to have committed adultery. In March, representatives of the Transitional government pledged to remove the death penalty for apostasy and instead make it a criminal offence to accuse someone of apostasy.

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

Despite pledges from Sudan's transitional government, including from Sudan's Minister of Guidance and Religious Endowments Nasr-Eddin Mofarah, to respect the right to FoRB, several concerns regarding the situation for religious minorities in the country remain.

The Sudanese Church of Christ

In July 2019 Sudanese authorities re-opened a case against eight leaders from the Sudanese Church of Christ (SCOC).

The men 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. The case had been dismissed by the court of first instance on 9 August 2018. However, the ruling was appealed, and the Court of Appeal and Supreme Court subsequently determined that a new criminal trial should proceed. Charges of criminal trespass and illegal possession of SCOC properties were confirmed against the eight leaders, including the SCOC's elected president, on 7 October 2019. The charges indicate a worrying continuation of the judicial harassment the SCOC faced under the al Bashir regime.

Attacks on churches by suspected extremists.

On 28 December 2019 three churches belonging to the Sudan Internal Church, the Catholic Church and the Orthodox Church were razed to the ground in Bout Town in Blue Nile State. Church members reported the arson attacks to the police, but no investigations were conducted. The Christian community rebuilt the churches from local materials. On 16 January 2020 the three churches were burned down again. The State and Federal governments have pledged to investigate the attacks and rebuild the churches; however, to date, the churches have only been offered the equivalent of \$900 compensation and no perpetrator has been charged.

The SCOC building in Jabarona was attacked on 18 December, 14 January, 21 January and 29 January. During each incident, the assailants attempted to burn down parts of the church building. 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 has formed a committee to investigate these attacks and threats.

On 29 February 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.

Abyei

On 22 January 2020 32 people were killed and 24 injured during an attack on a village in the disputed oil-rich region of Abyei. The UN Interim Security Force for Abyei (UNISAF) reported that a group of armed individuals belonging to the Misseriya tribe attacked Kolom village, which belongs to the Dinka tribe. In a statement, the region's Chief Administrator reported that 19 homes had been razed to the ground. The attack highlighted once again the tensions which have plagued the region ever since 2011, when it was due to hold a referendum to decide whether to join South Sudan or remain part of Sudan.

Ashraf Samir Mousad Obid

On 27 January 2020 Sudanese Christian businessman Ashraf Samir Mousad Obid was detained at Khartoum Airport under the orders of the General Intelligence Service (GIS). Mr Obid was returning to Sudan for the first time since fleeing the country in 2015, following a campaign of harassment by the GIS' predecessor, the National Intelligence and Security Service (NISS).

Mr Obid was detained despite GIS assurances that all names that were previously on the travel restriction list had been removed. When he asked officers for the reason of his detention, he was informed that his name was on a list submitted by GIS, and that he would be given the full reasons once he was transferred to the GIS office. Mr Obid was released after being held for an hour and a half, and on 30 January he was informed by Sudan's Ministry of the Interior that he was not allowed to leave or enter the country.

Positive developments

There have been some limited positive developments in recent months. On 9 September 2019 Sudan's Court of Appeal ruled that land belonging to the Baptist Church, which had been confiscated by NISS, should be returned to the church. On 11 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.

Recommendations

To the transitional government of Sudan:

- Conduct detailed investigations into all allegations of violence and human rights violations 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 the fundamental 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