

The conflict between the Sudan Armed Forces (SAF), headed by General Abdel Fattah al Burhan, and the Rapid Support Forces (RSF, formerly the Janjaweed militia) led by his former deputy Mohamed Hamdan Dagalo, also known as Hemedti, who jointly mounted a coup against the transitional government in October 2021, has been ongoing for almost 18 months. The hostilities began on 15 April 2023, as both parties were due to merge in line with an internationally supported framework agreement on a transition to democracy.

Legal framework

Sudan is party to the International Covenant on Civil and Political Rights (ICCPR). The 2005 Interim National Constitution, enacted prior to the secession of South Sudan, provided for freedom of religion or belief (FoRB) and referred to Shari'a 'and the consensus of the people' as the source of nationally enacted legislation in northern states.

Under the civilian-led transitional government, established following the removal of former president al-Bashir in April 2019, there were some improvements in FoRB, including a constitutional declaration signed in August 2019 which included several provisions protecting the right to freedom of religious belief and worship 'in accordance with the requirements of the law and public order.' The constitutional declaration also affirmed that the state is 'independent, sovereign, democratic, parliamentary, pluralist, decentralized state, where rights and duties are based on citizenship without discrimination due to race, religion,' making no reference to religion as a foundation of the state.

Laws promulgated under the former constitution remained in effect while the transitional government worked on reforms to Sudan's legal framework in line with the constitutional declaration. Amendments included the decriminalisation of apostasy in 2020, the removal of flogging as a punishment for blasphemy, and rules allowing non-Muslims to drink, import and sell alcohol.

Conflict between the SAF and the RSF

Sudan's civilians continue to bear the brunt of violence 'marked by an insidious disregard for human life,' with at least 14,600 people having been killed, and 26,000 injured so far.¹

In residential areas, civilians remain in grave danger due to aerial bombardment and home invasions by armed men seeking to use roof tops as vantage points who also loot extensively. Severe violations have been reported in cities in Central, North, South and West Darfur, Khartoum, Northern State, and North Kordofan State, including sexual violence

against women and girls, the forcible recruitment of civilians, including children, and arrests and false accusations targeting volunteers from Resistance Committees, who maintain a neutral stance while organising logistical support for medical services for all who are injured.²

Consistent reports of medical facilities being targeted by both warring parties, described by the World Health Organization (WHO) as 'a flagrant violation of international humanitarian law', of attacks on medical personnel, and of shortages of food, water and essential medications are equally concerning. The human toll of the conflict has disproportionately impacted civilians; to date over 8.1 million are internally displaced and over two million have fled from the country.³ The perilously insecure situation of civilians was exacerbated by the RSF's decision to release detainees from five prisons, including several wanted by the International Criminal Court.⁴

The conflict has extended across the whole of Sudan, with tensions flaring in Khartoum and Omdurman as the SAF attempt to regain control of neighbourhoods taken by the RSF. The conflict has also affected parts of South Kordofan and Gezira state. In March 2024, the SAF dropped four bombs on El Hadra village in the Nuba Mountains which fell on the primary school killing 14 people, most of them children, and causing the displacement of over 100 civilians. In Gezira, where the RSF control large parts of the state, over 100 people were killed in what has been described as an RSF massacre in Wad-al-Noor village. The RSF has expanded its military operations in Gezira State, which is currently home to thousands of people who were displaced internally by the ongoing conflict. As in other states occupied by the RSF, there have been reports of serious human rights violations, including the killing of civilians, attacks on hospitals, and the looting of homes.

In its first written report the UN Fact-Finding Mission on Sudan (FFM) concluded that war crimes and possible crimes against humanity are being committed during the current conflict. The extension of the FFM's mandate in September by the Human Rights Council (HRC) will ensure that further evidence can be gathered, analysed and safeguarded for prosecutions in the future.

Situation of freedom of religion or belief (FoRB)

Places of worship have also been targeted during the current conflict in violation of International Humanitarian Law. While both mosques and churches have been attacked, CSW sources report that there appear to be efforts by both sides to avoid attacks on mosques even when operationally sensitive. However, churches have been deliberately attacked or used during military offensives.

1 OHCHR 'High Commissioner Highlights Insidious Disregard for Human Life in Sudan', 1 March 2024 <https://www.ohchr.org/en/statements-and-speeches/2024/03/high-commissioner-outlines-insidious-disregard-human-life-sudan>

2 Facebook, General Command of the Armed Forces, 7 May 2023

3 OCHA, 'Situation report Sudan 23 February' <https://reports.unocha.org/en/country/sudan/>

4 All Africa, 'Sudan: Shelling and Shortages Leave At Least 18 Sudanese Hospitals Closed and Injured Stranded', 18 April 2023 <https://allafrica.com/stories/202304190038.html>

These attacks are consistent with actions taken by leaders of both the SAF and RSF during the period following their joint coup in October 2021, which was marked by the clawing back of limited democratic gains, the return to prominence of Islamists from the al Bashir era, an emboldening of extremist non-state actors amid growing impunity, and repression and violations of FoRB across the country, including harassment, arrests and prosecutions of converts - despite apostasy no longer being a crime under the law - and seizures and demolitions of church owned properties.

There have also been reports of the arrest and detention by the SAF of Christians who have fled from RSF controlled areas. In RSF controlled areas Christians report of being forcibly converted or detained if they attempt to flee.

Episcopal Church

On 17 April 2023 the Anglican Cathedral in central Khartoum was seized as a military base by suspected RSF fighters, who damaged six cars, and forced 42 people who were sheltering there, and who included the Archbishop and his family, to leave the building after physically assaulting several of them. In Bahri, Khartoum North, the Evangelical Church was bombed and partially burned.⁵

On 1 November 2023 the SAF shelled and destroyed the largest church in Omdurman, which was used by both the Episcopal and Evangelical denominations. The church was built in the early 1900s and was the second oldest church in Omdurman, after the Coptic Church. Most of the buildings registered to the Evangelical Church in the surrounding area had been confiscated under the rule of Omar al-Bashir, and the shelling took place approximately three weeks after similar bombings of the Evangelical Commercial School and the Evangelical Secondary School, both in Omdurman.

Coptic Orthodox

Elsewhere, the RSF forcibly removed all priests, including His Grace Bishop Elia, the Bishop of Khartoum and South Sudan, from St. Mary's Coptic Orthodox Church on Nile Street in Khartoum on 14 May 2023 to use the premises as a military base. The RSF had reportedly been intimidating and harassing those in the church for a week before forcing them to leave. A similar incident was reported on 3 May, when the Coptic Church in Khartoum North (Bahri) was attacked.

CSW sources report six gunmen attacked the Al-Masalma Coptic Church in Omdurman on 13 May 2023. The gunmen drove to the church in a car and shot four men, including a priest named Arsenius, and his son. They also stabbed the

church guard before looting the building for two hours. All five victims received treatment at a private hospital and have since recovered; however, they were unable to access the largest hospital in the area as it was under the control of the RSF, and its electricity had been cut off by the SAF.

On 16 December 2023 members of the RSF attacked a Coptic monastery in Wad Madani, Gezira State, and began using it as a military base.⁶

Catholic Church

On 3 November 2023, Mariam Home, a building belonging to the Comboni Catholic missionary order in Khartoum El-Shajara, was bombed, leaving five nuns and several children injured.⁷ On 10 December 2023, the International Committee of the Red Cross attempted to evacuate more than hundred civilians who shielded in the house, but their humanitarian convoy was attacked by SAF despite receiving assurances from parties to the conflict to proceed with the evacuation.⁸ Two Red Cross staff were killed and several others were injured.

Evangelical Church

On 12 January 2024 the Evangelical Church in Wad Madani was set on fire by RSF members. The church is the biggest in Gezira State, and one of the oldest, having been built in 1939. It is considered a high value target and is next door to an evangelical school that the previous regime attempted to seize.⁹ Seven days later, the Greek Church in the same area was also set on fire.

Mosques

Mosques have also been attacked as violence continues across the country. CSW has received reports of the bombings of mosques in the Alazhari and Burri Al Daraia areas of Khartoum. One person was killed in the latter.

On 14 May 2023 the Al Zareeba Mosque was bombed in El Geneina, West Darfur, a region where fighting is particularly intense and entire villages have been burnt down. According to the Preliminary Committee of Sudan Doctor's Trade Union, 280 people were killed and more than 160 were injured in the region between 12-13 May.

In March 2024 an Islamist militia affiliated with the SAF vandalised and detonated explosives inside the Sheikh Qarib Allah Mosque in Omdurman. The mosque is in an area that has been under SAF control since early March, and a reliable source confirmed that prior to this date it had not been damaged in any exchanges of fire between the SAF and

5 CSW, 'CSW calls for continued international scrutiny once foreign nationals are evacuated', 27 April 2023, <https://www.csw.org.uk/2023/04/27/press/5992/article.htm>

6 CSW, 'Rapid Support Forces attack and occupy Coptic monastery in Wad Madani', 19 December 2023 <https://www.csw.org.uk/2023/12/19/press/6134/article.htm>

7 CSW, 'Sudanese Armed Forces bomb church and properties in Omdurman and Khartoum El-Shajara', 6 November 2023 <https://www.csw.org.uk/2023/11/06/press/6116/article.htm>

8 ICRC, 'ICRC Deplores Deliberate and Deadly Attack on its Humanitarian Convoy', 10 December 2023 <https://www.icrc.org/en/document/sudan-icrc-deplores-deliberate-and-deadly-attack-its-humanitarian-convoy-khartoum>

9 CSW, 'Evangelical Church set on fire by Rapid Support Forces in Wad Madani', 15 January 2024 <https://www.csw.org.uk/2024/01/15/press/6147/article.htm>

the RSF. Islamist militias affiliated with the SAF, particularly the Al-Bara bin Malik Brigade, have been empowered by a war that is a rising risk in the country and potentially region as extremist groups are able to access weapons.

Shutdown of communications networks

Since 2 February 2024 there has been an ongoing internet and communications shutdown that was blamed on the RSF, who had reportedly seized control of internet service providers data centres in Khartoum. In recent years internet blackouts have been used to conceal gross human rights violations, such as the June 3 massacre in 2019. In addition to preventing Sudanese people from communicating with the world, the shutdown is seriously hampering humanitarian assistance within the country, as local and international organisations are unable to communicate effectively. The conflict has already resulted in the highest level of internal displacement in the world, leading to significant humanitarian crisis.¹⁰

Targeting of civil society actors

The RSF are also implicated in the targeting of civil society actors, including the killing of journalist Muawiya Abdel Razek and three members of his family on 4 June 2024 in Khartoum. The journalist had previously been detained by the paramilitary group. Thus, in addition to the violations being committed during the fighting, civilians living in areas controlled by both parties are subjected to arbitrary detention and harassment. Members of resistance committees, journalists, lawyers, and opposition politicians are particularly likely to experience detention, monitoring or targeting.

Conflict-related sexual violence (CRSV)

Distressing reports have emerged from areas seized by the RSF in Khartoum and Omdurman of rape, gang rape, and forced 'marriages' as its forces advanced through neighbourhoods, with the majority of these violations occurring in victims' homes.¹¹ Initially Ethiopian and Eritrean female refugees in Khartoum were targeted, while Sudanese women were spared.¹² However, they soon began to suffer similar atrocities.

Human Rights Watch (HRW) has reported cases involving gang rape of girls as young as nine, and of older women,

including a sixty-year-old woman in Khartoum North who was raped alongside her daughter and granddaughter. Women and girls have also been raped in front of male family members.¹³

The Strategic Initiative for Women in the Horn of Africa (SIHA) documented similar violations by the RSF after they took control of Gezira State in December 2023, with women and girls being abducted from their homes, held for several days in various locations and raped repeatedly by multiple perpetrators.¹⁴

While there are fewer documented accounts detailing CRSV by the SAF, this is possibly due to reluctance, stigma or pressure from family members and others to keep silent for fear of reprisals from the military, which constitutes the de facto state authority. However, accounts which have emerged from SAF-controlled areas paint a painful picture of soldiers using their positions to violate vulnerable women. For example, over two dozen women who are unable to leave Omdurman city have reported being forced into transactional sex with SAF soldiers to receive humanitarian aid, or access to abandoned properties where they forage for items to sell to feed their families.¹⁵

In Darfur, where the office of the ICC Prosecutor asserts credible evidence exists of a recurrence of atrocity crimes targeting the ethnically African Fur, Zaghawa and Masalit tribes, chilling evidence is emerging of rape once again being used as a weapon of war. Following the fall of Geneina in West Darfur State to the RSF in November 2023, women reported ethnicity-based rape and sexual abuse by RSF fighters and their allied Arab militias. Many victims were from the Masalit community. However, women from Arab tribes were also targeted if they were married to Masalit men or had children with them.¹⁶

In areas controlled by the RSF, women and girls are not only subjected to sexual violence but are often abducted and held for extended periods of time. A 23-year-old woman from North Kordofan state was abducted by an RSF fighter, taken to his home in Kas, South Darfur, eventually escaped, but returned home pregnant.¹⁷ A woman from Omdurman who was kidnapped by the RSF along with her three young children was subjected to sexual violence for six months, and was later informed her children would be killed unless she became a spy. She was eventually sent to an SAF-controlled

10 IOM, 'Sudan Faces World's Largest Internal Displacement Crisis', 16 October 2023 <https://www.iom.int/news/sudan-faces-worlds-largest-internal-displacement-crisis>

11 Human Rights Watch, "'Khartoum is not Safe for Women!': Sexual Violence against Women and Girls in Sudan's Capital', Section 'Rape by multiple perpetrators', 28 July 2024 <https://www.hrw.org/report/2024/07/28/khartoum-not-safe-women/sexual-violence-against-women-and-girls-sudans-capital>

12 Al Jazeera, 'Don't let the other soldiers watch': Rape as weapon in Sudan war, 14 August 2023 <https://www.aljazeera.com/features/longform/2023/8/14/dont-let-the-other-soldiers-watch-rape-as-a-weapon-of-war-in-sudan>

13 Human Rights Watch, "'Khartoum is not Safe for Women!'", 'Summary Section', 28 July 2024

14 SIHA Network, 'Press Statement: Gezira State and the Forgotten Atrocities: A Report on Conflict-related Sexual Violence', 22 July 2024 <https://sihanet.org/press-statement-gezira-state-and-the-forgotten-atrocities-a-report-on-conflict-related-sexual-violence/>

15 The Guardian, 'Women in war-torn Sudanese city forced to have sex in exchange for food', 22 July 2024 <https://www.theguardian.com/world/article/2024/jul/22/women-forced-to-have-sex-with-soldiers-for-food-in-sudanese-city>

16 The Guardian, 'Darfur rape survivors gather together after ethnically targeted campaign', 14 March 2024 <https://www.theguardian.com/global-development/2024/mar/14/darfur-survivors-gather-together-after-ethnically-targeted-campaign>

17 African Centre for Justice and Peace Studies, 'South Darfur: Two girls abducted and subjected to sexual slavery in Nyala', 19 August 2024 <https://www.acjps.org/publications/south-darfur-two-girls-abducted-and-subjected-to-sexual-slavery-in-nyala>

area, was caught, and is now in a protection centre, haunted by fears for her children, who are still held by the RSF.¹⁸

Other women forced to work with the RSF who return to SAF-controlled areas or are captured by the SAF also face prosecution, and in some cases have been sentenced to death following unsafe judicial rulings which fail to consider the trauma and coercion they have endured, and thereby compound the injustices experienced by survivors.¹⁹

In addition, the targeting of hospitals, schools and medical staff has exacerbated the physical and mental anguish of survivors of CRSV.²⁰ The consequent lack of access to specialist treatment and psychosocial assistance heightens the suffering of deeply traumatised victims, causing some to commit suicide.²¹

Ongoing international scrutiny

In October 2024, the UN Human Rights Council voted in favour of extending the mandate of the Fact-Finding Mission on Sudan for another year. The renewal was an extremely encouraging development; however, the FFM requires the full resources to fulfil their mandate and ongoing cooperation by UN member states in facilitating their work. Moreover, the recommendations made in its first report, which found evidence of atrocity crimes being committed by parties to the conflict, must be fully implemented to ensure accountability.

CSW continues to urge enhanced scrutiny on the situation of Sudanese citizens - particularly women and girls amid rising CRSV - refugees and other vulnerable groups, and to highlight the importance of ensuring that perpetrators of violations targeting civilians or civilian objects are left in no doubt they will be held to account.

The international community must remain engaged, and all efforts to broker peace must include a broad and significant civil society component, since the creation of an inclusive Sudan remains a guiding principle of the civilian movement. This is the only way to secure a durable solution based on an inclusive Sudanese identity, rule of law, human rights and, most importantly, accountability. Any rush to restore seeming stability at the expense of justice and accountability for the litany of grave violations committed since 2019 will ultimately prove unsustainable.

Recommendations

To the government of the United Kingdom:

- Urge both the Sudan Armed Forces and the Rapid Support Forces to agree to an immediate ceasefire and engage in peace negotiations.
- Support investigations into war crimes and crimes against humanity, and advocate for prosecutions through the UN, ICC and universal jurisdiction.
- Strongly condemn attacks on civilians, and advocate for the protection of human rights defenders and wider civil society.
- Call for the immediate cessation of CRSV, and ensure survivors receive necessary support and access to justice.
- Advocate for and initiate targeted sanctions on those responsible for atrocities in Sudan, including military leaders, for a comprehensive arms embargo covering all parties to the conflict, and for further sanctions for countries which continue supplying arms.

18 Instagram, ana.sudani @ana.sudani, 28 August 2024 https://www.instagram.com/ana.sudani/reel/C_OMeJSRydW/?hl=en

19 Rhino News, 'Young woman sentenced to death in Atbara on charges of collaborating with RSF', 11 August 2024 <https://rhinosd.net/?p=11851&lang=en>

20 ReliefWeb, 'Sudan: Omdurman hospital bombed, deadly violence in North Darfur and El Gezira', 13 August 2024 <https://reliefweb.int/report/sudan/sudan-omdurman-hospital-bombed-deadly-violence-north-darfur-and-el-gezira>

21 Human Rights Watch, "Khartoum is not Safe for Women!", 'Summary Section', 28 July 2024

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