

Discrimination against Christians and places of worship in Republic of the Sudan

Introduction

1. CSW (Christian Solidarity Worldwide) is a human rights organisation specialising in the right to freedom of religion or belief (FoRB).
2. Republic of the Sudan continues to face multiple human rights challenges. Where access to justice is not ensured, citizens are not truly free to enjoy fundamental human rights, including FoRB. This submission focuses primarily on discrimination with regard to Christian places of worship.

Attacks on Christians and Christian places of worship

3. The destruction of Christian places of worship and state interference in church affairs continue with impunity.
4. From December 2019 to January 2020 a church building belonging to the Sudanese Church of Christ (SCOC) in Jabarona, Omdurman was attacked on four occasions. Additionally, its leaders received threats from Muslim extremists living in the area, who warned they would not allow churches to be built in the area even if official permission was granted.
5. The Ministry of Guidance and Religious Endowments, the department overseeing religious affairs, formed a committee to investigate the attacks and threats; however, the church was attacked again on 14 August 2020.
6. On 22 August 2020 14 individuals submitted a letter to local authorities asking them to clear the area where the church is located within three months and threatening to do so themselves if this was not done. The signatories have since been put on trial, marking the first prosecutions for damaging a church in the nation's history.
7. On 29 February 2020 a SCOC church was set on fire in Ombadda Block 18 in Omdurman. The perpetrators remain unknown.
8. On 9 March 2020 CSW sources reported extremists had razed the Sudanese Evangelical Presbyterian Church in Bout Town, El Tadamon locality, Blue Nile state. The building and property within it, including furniture, bibles and other religious materials, were destroyed.
9. On 20 June 2020 Mariel Bang, a South Sudanese Christian, was killed, and four others seriously injured in the Shigla area of Omdurman by a mob of youth who reportedly shouted "Allah u Akbar".
10. On 3 January 2021 a building belonging to SCOC in Tamboul, Gezira state, was burned down. CSW sources report that a 13-year-old boy set fire to the church using petrol from a motorcycle, after being instructed by an adult.
11. On 26 Feb 2021 extremists burned a church belonging

to South Sudanese refugees in Abo-Hasheema, South Kordofan.

12. On 27 May 2021 a church belonging to the SCOC in Omdurman that was being rebuilt after being burned down in August 2020 was demolished, following threats from local residents and authorities.

Obstacles to registering Christian places of worship

13. Almost all places of worship, including mosques, are issued with residential registration certificates. However, churches face great obstacles in registering places of worship. Additionally, while Muslims are often permitted to use parts of their homes as mosques, Christians are denied this right, highlighting the failure of the Ministry of Guidance and Religious Endowments to work effectively with the Urban Planning Department to ensure all faiths are treated equally. This historic discriminatory practice of designating property belonging to mosques and churches as residential, and subsequently penalising churches that want to use their property for worship, persists.
14. The Sudanese Reformed Church is seeking to re-acquire land in Wad-Albashir Camp, Ombada-51, Omdurman, that was allocated to it for a place of worship by the Urban Planning Department in 2008. The Church alleges that other residential and service properties, including a mosque, have already received registration certificates. Despite assurances from the Urban Planning Manager and a member of the Sovereignty Council, on 20 June 2021 an engineering team visited the area and informed the Church its land was re-authorised as a bus station by the Urban Planning Department in 2013.
15. In another incident, former president of the Pentecostal Church Reverend Abo-Feras Dawood, who was appointed by the National Intelligence and Security Services (NISS) during the previous regime, illegally sold two buildings belonging to the church. He was arrested on 26 May 2021 and released on bail on 27 May on charges of corruption, despite not meeting a bail payment which should have been equivalent to the costs of both buildings. After the church appealed, the general prosecutor ordered his re-arrest. Since then has been in hiding.
16. The church had been closed in 2014 by NISS, before the Constitutional Court ruled in 2017 that the confiscation of the building was unconstitutional and ordered its return. The building was returned to the Church in July 2018, but everything inside it, including the air conditioners, was retained by NISS. On 16 June 2021, the Church elected a new committee and the Ministry of Guidance and Religious Endowments recognised it on 27 July; however, Reverend Abo-Feras is still acting as the president of the church, even while in hiding. On 18 August, the reverend, through a representative, filed a criminal case against Reverend Kwat Jumma, one of the church leaders, who spent three days in the custody.

17. In a tentatively positively development, on 21 July 2021 the Orthodox Church was granted permission to build a place of worship on land it owns in Hay-Elrawda, Omdurman, after initially being denied permission by the Urban Planning Department, which had claimed the land was only authorised for residential purposes.
18. The government appears to resolve these cases on an ad-hoc basis. The formulation and implementation of clear, transparent processes for the construction and registration of places of worship that ensure all religious groups are treated equally remains crucial.

State interference in church affairs

19. During the previous era, interference in church affairs was commonplace and primarily led by NISS officers, who pitted Christians against each other. Whenever such cases came to light, the government would claim the issue was an entirely internal church matter. However, by authorising alternative church committees to act on behalf of religious organisations, the State retained significant control over the internal processes of religious organisations and used these committees to further restrict the rights of Christians. In March 2020, the Ministry of Guidance and Religious Endowments dissolved the government-appointed church committees. However, the decision was not fully implemented, and most illegal committees have continued to operate.
20. Rafat Obid, a leader of the Sudan Presbyterian Evangelical Church (SPEC) in Khartoum, was arrested, charged with ‘impersonating others’ under Article 113 of the Criminal Act, and released on bail on 28 June 2021, following allegations by members of an illegally constituted committee that had been authorised to act on behalf of the church by the Ministry of Guidance and Religious Endowments. In 2017, Mr. Obid was acquitted by the Omdurman Criminal Court of the same charge filed by the same complainants.
21. In September 2015 the Khartoum Administrative Court ruled that the Ministry of Guidance and Religious Endowments should have authorised the committee led by Mr Obid as the legitimate body to administrate on behalf of the SPEC. However, the Ministry has still not done so, leaving Mr Obid and the SPEC open to malicious prosecutions by the illegitimate committee.
22. At approximately 11pm on 2 July 2021 Mr Boutros Badawi, a senior adviser to the Minister of Guidance and Religious Endowments who had commented on official delays in resolving historic injustices experienced by the

Christian community, was attacked by five armed men in Khartoum while travelling home. One pointed a gun at Mr Badawi’s head, threatening to kill him if he continued speaking about confiscated church properties, or issues surrounding the SPEC committees. CSW is concerned by the absence of official expressions of concern for the targeting of Mr Badawi in a manner disturbingly reminiscent of the former government.

Women and FoRB

23. Under Islam, men could marry four women, and also have an unlimited number of female servants known as “Amas,” whose children could not inherit, but could become the property of heirs. A family court ruling excluded children of Amas from inheriting from their fathers. This was overturned by the appeal court, but a September 2018 Supreme Court ruling excluded them once again.
24. The case is now pending before the constitutional court, which is yet to be established.

Recommendations to the United Nations Human Rights Council:

25. Press Sudan to conduct detailed investigations into attacks on places of worship, holding perpetrators to account and ensuring vulnerable communities are protected.
26. Urge Sudan to review the powers of arrest and detention of General Intelligence Service agents in order to safeguard religious minorities and civil society from harassment, arbitrary detention or enforced disappearance.
27. Press Sudan to launch an independent inquiry into the confiscation of land and property belonging to religious minorities, to return land and property sold illegally or seized from groups and individuals from minority religious communities, and to accept applications for registration and reregistration of land and properties by individuals and legitimate church committees without delay.
28. Urge Sudan to review the processes of the Ministry of Guidance and Religious Endowments and, to recognise legitimate church committees urgently, and to cease authorising committees to administrate on behalf of religious organisations.
29. Press Sudan to ensure equal treatment of all mothers and children.

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