



SUDAN

U.S. COMMISSION ON INTERNATIONAL RELIGIOUS FREEDOM



Refugees from Southern Kordofan, Sudan at Yida refugee camp in South Sudan greet international visitors.

There are no reports about the killings in Sudan but we hear on the radio about the killings everywhere else in the world. We don't feel like the international community cares, we are not a priority.

—SPLM-N ELECTION VOLUNTEER, KADUGLI

They want to arrest us, they don't want their own people to live.

—TEACHER, TALLIE

Under the control of Sudanese President Omar al-Bashir, the Sudanese Armed Forces (SAF) and Khartoum's paramilitary Popular Defense Forces (PDF) have targeted persons based on religion, ethnicity, and political affiliation in Southern Kordofan and Blue Nile states. The government also has bombed and denied humanitarian assistance to civilians, creating an urgent humanitarian crisis in the two states. Such actions in Southern Kordofan and Blue Nile states constitute a violation of international human rights and humanitarian law by the government of Sudan.

The U.S. Commission on International Religious Freedom (USCIRF) traveled to South Sudan and visited the Yida refugee camp in late October to investigate reports of violations of international human rights law, including freedom of religion or belief, and persons being targeted based on their

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THE U.S. COMMISSION
ON INTERNATIONAL
RELIGIOUS FREEDOM

was created by the
International Religious
Freedom Act of 1998
to monitor the status
of freedom of thought,
conscience, and religion
or belief abroad, as
defined in the Universal
Declaration of Human
Rights and related
international instruments,
and to give independent
policy recommendations
to the President,
Secretary of State, and
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religious identity. USCIRF interviewed more than 80 refugees from Southern Kordofan and Blue Nile, including 30 individual interviews plus three focus groups combining approximately 50 refugees. Ten of the individual interviews were with Christian and Muslim religious leaders from the Nuba Mountains. USCIRF also discussed the human rights violations in the two states with representatives from the U.S. government, United Nations, Sudan People's Liberation Movement-North (SPLM-N), international human rights nongovernmental organizations (NGOs), and Southern Kordofan and Blue Nile NGOs. The Commission was told of abuses that the SAF and government-backed militia reportedly committed based on differing factors of religion, ethnicity, and political affiliation and the urgent humanitarian situation.

BACKGROUND

Southern Kordofan and Blue Nile states border the Republic of South Sudan. Both states are religiously and ethnically mixed, and Khartoum has politically and economically marginalized the people living there. Experiencing similar grievances as Southern Sudanese, many of the Nuban people in Southern Kordofan and peoples in southern

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Blue Nile sided with the Sudan People's Liberation Movement/Army (SPLM/A) during Sudan's 20 year North-South civil war. In the 1990s, as the National Congress Party (NCP) declared hundreds of thousands of Nuba Muslims apostate for not supporting the government, killed, denied food assistance, and forcefully relocated hundreds of thousands of Nubans.

The Comprehensive Peace Agreement (CPA), which ended the North-South civil war, did not address the core political, cultural, and economic tensions in the two states. While the CPA allowed a referendum

on self-determination for South Sudan, the residents of Southern Kordofan and Blue Nile were to hold "popular consultations" in 2011. These consultations were vaguely defined as "a democratic right and mechanism to ascertain the views of the people on the comprehensive agreement reached." Additionally, SPLA troops in the two states were to disarm or redeploy to South Sudan once the Joint Integrated Units, made up of SPLA and SAF troops, were formed.

In the six years between the CPA signing and South Sudan's independence, none of the agreement's political or military arrangements were implemented. Southern Kordofan and Blue Nile's political, economic, and cultural marginalization also remained unaddressed. While consultations were held in Blue Nile in the beginning of 2011, they were not finalized. They were not even held in Southern Kordofan. Disagreements between the NCP and SPLM over the 2009 census results delayed the state elections, thereby preventing elected officials from overseeing the consultations. SPLA troops also were not redeployed. Rather, political tensions between the SPLM and the NCP increased in the two states along with tensions between the Nuba and local communities in Southern Kordofan.

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FIGHTING IN SOUTHERN KORDOFAN AND BLUE NILE

Khartoum initiated the fighting in Southern Kordofan on June 5, 2011, roughly one month after the delayed state elections were held.

The SPLM-N, citing vote rigging, withdrew from the election as the ballots were being tallied, declaring that it would not recognize the outcome of the vote nor participate in the government. The result was that the NCP candidate, Ahmed Haroun, was elected governor of Southern Kordofan. Haroun is indicted by the International Criminal Court for crimes against humanity in Darfur.

The fighting also began five days after the NCP deadline on all SPLA troops disarming or withdrawing to South Sudan. SPLM-N officials in the two states argued that SPLA troops in the territories were Southern Kordofan and Blue Nile citizens and thus belonged in Sudan.

During the first days of fighting in Southern Kordofan, the SAF and the PDF conducted targeted executions, disappearances, arrests, and indiscriminate killings of Nubans and perceived SPLM-N supporters. They also created a “blacklist” to help soldiers find and identify people to be arrested or executed during house-to-house searches. This list included leaders of the SPLM-N, Christian leaders, and educated Nubans including civil society leaders and teachers.

In its investigation of the fighting that took place in Southern Kordofan between June 1 and 30, 2011, the office of the UN High Commissioner for Human Rights stated that the killings and enforced disappearances could be serious violations of human rights and international humanitarian law and could amount to crimes against humanity. Numerous Sudan human rights experts and monitors have warned that ethnic cleansing is taking place in the Nuba Mountains.

On June 28, the NCP and SPLM-N signed

the Addis Ababa Framework Agreement on political and security arrangements in the two states. Three days later, President Bashir denounced the agreement and has since banned the SPLM-N in Sudan and refused to enter into bilateral or multilateral peace negotiations with the party.

On September 1, fighting began in Blue Nile. Blue Nile Governor and SPLM-N chairman Malik Aggar was illegally removed from his post and his house torched. Roughly 100 SPLM-N supporters in the state were arrested en masse.

The constant aerial bombardments and fighting in Southern Kordofan and Blue Nile states have created a humanitarian disaster... President Bashir and Governor Haroun have denied humanitarian access, including food and medical assistance, to areas controlled by the SPLA-N.

ATTACK ON RELIGIOUS COMMUNITIES IN THE NUBA MOUNTAINS

The SAF and PDF targeted religious leaders and worshippers, along with houses of worship at the start of the fighting in Kadugli, Southern Kordofan. The attacks on the Christian community led many pastors to flee to Khartoum, Juba, and elsewhere, including outside of Sudan. Pastors, Southern Kordofan Christian leaders, and Muslim refugees told USCIRF they fled their homes after seeing the SAF and PDF kill or arrest Christians, suspected SPLM-N

or SPLA-N supporters, and/or neighbors or after being told by friends and family that SAF and the PDF were asking for them by name. Christian and Muslim refugees with whom USCIRF spoke said they believe that Christians were targeted because Sudanese government and ruling National Congress Party officials view Christians as a threat to Islam and view them as inevitable supporters of the SPLM-N.

All pastors with whom USCIRF spoke said they fled Southern Kordofan after learning that the SAF and PDF were undertaking house searches for Christians and SPLM-N supporters. Several said family and friends warned them that their names were on the “blacklist” and that soldiers had visited their houses.

I left Kadugli three days after the war broke out. I was in the Sudan Council of Churches building. From my vantagepoint, I saw two houses being fired at and looted. The first was the Coptic Church guesthouse where an SPLA soldier had run to hide. The militias killed the man. The second house was formerly used to house SPLA soldiers. It was set fire to and destroyed...I ran after three days when it was safe after realizing that SAF and militias were going house to house searching for church leaders, SPLA officers, and civil society leaders. I thought I would be next because I am a church leader and lead civic education activities for the Sudan Council of Churches...I left with seven other persons from the Sudan Council of Churches and their families. —SUDAN COUNCIL OF CHURCHES REPRESENTATIVE, KADUGLI

On the 4th day of fighting, I was trapped in my house in Tilou, [Southern Kordofan]. I was surrounded by militia and SAF. I was asked where I worked and I lied. I said I was a civilian. I knew they were looking for church leaders. —PROTESTANT PASTOR, TILOU

In interviews with refugees from Southern Kordofan in Juba and at a refugee camp in South Sudan, USCIRF was told of Christian leaders being killed and arrested.

On the Tuesday after the fighting started I was at school with my students. I saw a vehicle with SAF soldiers surround an ECS [Episcopal Church of Sudan] near the school. There were Christians inside the church praying. SAF soldiers started shooting inside the church at the people. SAF soldiers went into the church and pulled out a Christian, captured him, and shot him. As this was going on, I and my students were hiding behind the school, but could still see the SAF killing people with guns and knives. —TEACHER, KADUGLI

Another refugee witnessed the shooting of seminary student Phillip Kalo by Sudanese intelligence officers.

I was in Kadugli the first four days of the fighting. I fled the first time I thought it was safe to leave my house. My family and I tried to go to the UN [compound]. When we got there I saw the SAF and the militias arresting people. I saw Kalo be shot as the soldiers said he was an enemy of Islam. When I saw this I thought I would be in danger because I am an SPLM supporter. I ran and my family stayed behind. I saw someone in a car driving by the UN and I jumped in his car to get a ride with that person also fleeing.

—ACCOUNTANT, KADUGLI

Two refugees witnessed the arrest of Catholic Pastor Abraham Lual in Kadugli.

I saw the SAF go into the Catholic Cathedral on June 6. I knew they were going to attack Pastor Lual. I am a church member and I went to the church to try to save his



Refugees from Southern Kordofan, Sudan at Yida refugee camp in South Sudan.

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life. When I got there Pastor Lual was being pulled from the church. He tried to run away but the SAF got him. Other Christians were also running from the church. I ran away after that with the church's commissary. —ENGINEER, KADUGLI

Christian pastors and Muslim refugees said that President Bashir's government views Christians as non-believers and does not want Christianity in Sudan. One imam spoke of the targeting of Christians in his town outside of Kadugli.

I am an imam. A soldier came to me as the imam of the mosque with the message that all Muslims should leave the city because they wanted to kill the Christians. The SAF person said all Christians and SPLM supports are kaiffirs. I said I am a Muslim. But I am also a Nuban and I refused to leave or separate Muslims from Christians. I was arrested by the SAF and imprisoned for

five days. —IMAM, OUTSIDE KADUGLI

Religious-based attacks were also perpetrated against the Muslim community in the Nuba Mountains. Imam Mohamed Idress, a SPLM-N supporter, was killed in Kadugli on his way home from evening prayers. In Umdurim, a bomb was dropped near a mosque during Friday prayers. Muslim Nubans explained that due to their ethnicity, "Khartoum does not consider us as real Muslims."

Christians and Muslims alike were denied the right to sanctuary in houses of worship. In addition to the attacks on the Episcopal and Catholic Churches containing congregants seeking refuge from the fighting, USCIRF was told of similar attacks on mosques in Southern Kordofan.

I was in the Kadugli mosque at the time it was destroyed. People were running from the fighting, escaping to pray. The militia followed us to the mosque. No one was

killed, but the militia entered the mosque and told everyone to leave or said they would be shot. People ran away scared. This was on June 6. —MUSLIM COMMUNITY LEADER, KADUGLI

I worked in Kadugli as a teacher. I tried to stay at my school to be with my 44 students because of how dangerous the town was. We were fleeing Kadugli and ran into a mosque in Dalami, but militias started attacking the mosque. People were going to the mosque to pray, but the SAF were shooting into it and killing people. We hid behind the mosque for three hours. After the shooting, I went inside the mosque and hid there 'til dark. Then we hid in mountains and slept. —TEACHER, KADUGLI

Khartoum's aerial bombardment campaign against civilians in the two states extends to the bombing of churches and mosques, even during religious services.

In violation of international law of armed conflict, SAF forces attacked houses of worship through ground offensives and aerial bombardments. In Kadugli, four of the five churches were destroyed, including the Episcopal Church of Sudan, the Catholic Church, the Church of Christ, and the Presbyterian Church. Their offices and guesthouses, as well as the Sudan Council of Churches offices, were attacked. The only church left untouched was the Egyptian Coptic Church, which reportedly has close ties with Khartoum. Episcopal pastors and a representative from the Sudan Council of Churches in Kadugli described doors and windows torn down; documents and religious papers

ripped apart; parts of churches burned; and supplies, vehicles, and electronic equipment looted. Refugees also spoke of mosques being looted or turned into military installations after SAF soldiers took over a town.

Churches in Kadugli were destroyed. They were shot at and burned...All of [the] doors and the window of the ECS cathedral in Kadugli were broken. The Sudan Council of Churches building was looted. The Church of Christ and Catholic Cathedral was also looted. They took computers and motor bikes. —EPISCOPAL CHURCH OF SUDAN PASTOR, KADUGLI

Khartoum's aerial bombardment campaign against civilians in the two states extends to the bombing of churches and mosques, even during religious services. Numerous refugees reported fleeing towns as the bombings started and returning a few days later to find churches and mosques, as well as other buildings, destroyed. Based on interviews with refugees, USCIRF documented that churches in Umdorin, Tess, Shatt, Taliq, Kauda, Dalami, and Mashisha, and mosques in Kauda, Dalami, and Mashisha, were destroyed by bombs dropped by the SAF air force in Southern Kordofan.

The ability of worshippers in Southern Kordofan and Blue Nile to practice their faith is severely hampered by the fighting in the two states. USCIRF was told that because a large number of pastors have fled, there are few religious leaders remaining to lead services for the Christian community in Southern Kordofan. To avoid the bombs, displaced Christians and Muslims in Southern Kordofan sporadically hold religious services under trees or in caves.

Services are being held earlier than normal and times are frequently changed to avoid the bombardments which can come at any

time. People are praying under trees or in caves. All denominations are affected. It is advisable for people not to attend church service. —NUBA RELIEF, REHABILITATION, AND DEVELOPMENT ORGANIZATION REPRESENTATIVE, KADUGLI

ATTACKS ON NUBANS IN KHARTOUM

Several refugees with whom USCIRF met also spoke about threats to Southern Kordofan pastors and the Nuba community in Khartoum. Several pastors also spoke of being targeted and harassed in Khartoum after fleeing Kadugli. Security officers went to the houses in which they were staying, looking for them. In addition to being monitored by security officers, pastors reported a radical Muslim group posted flyers on their houses calling them enemies of Islam and Sudan. The pastors then fled the capitol, many to South Sudan.

After Kadugli I went to Khartoum. The security officers followed-up with me there, looking for me, asking for me. They came to my house but I was not in. Where I was staying, an Islamic group spread flyers denouncing me as an enemy of the state. They also said that churches are supporting rebels and are opposed to Islam... When I was in Khartoum I received calls and threats...—EPISCOPAL CHURCH OF SUDAN PASTOR, KADUGLI

In Khartoum, I stayed with my cousin. A few days later people came to my cousin's house and posted a note on the door threatening me. I went to another house. Those who left the note went to my cousin's house looking for me in the middle of the night. It was after this that I went to Cairo. —PROTESTANT PASTOR, TILOU

USCIRF also spoke with several Nubans

who were in Khartoum at the time the fighting started. These refugees told similar stories of security officers going to their houses in search of them. Refugees reported that some of their relatives in Khartoum were arrested or were fired from their jobs. Two refugees said that a Pentecostal pastor whose congregation is predominately Nuban was arrested after leading a prayer for peace in the Nuba Mountains.

HUMANITARIAN CRISIS IN SPLA-N CONTROLLED AREAS

The constant aerial bombardments and fighting in Southern Kordofan and Blue Nile states have created a humanitarian disaster. Local sources report that 230,000 persons have been internally displaced in Southern Kordofan: they are living in caves in the mountains and in need of food and medical assistance. More than 50,000 have fled to neighboring countries. Fields, farms, and crops have been destroyed and the bombing prevents farmers from harvesting crops. Medical facilities have been damaged and staff has fled. Adding to the crisis, President Bashir and Governor Haroun have denied humanitarian access, including food and medical assistance, to areas controlled by the SPLA-N. President Bashir and Haroun used similar tactics in the North-South civil war and in Darfur. Hundreds of thousands of people starved before the international community intervened. USCIRF learned that the humanitarian crisis will only worsen in the coming months with the beginning of the dry season during which ground fighting in the two states will increase. While the first refugees to South Sudan were people fleeing direct violence, newer arrivals are fleeing food insecurity and bombings.

The people, they are suffering from aerial bombardments. Many cannot cultivate.

That will be a serious issue because they will be short of food and this might lead to famine. This is what civilians are going through. Many lack medicine and cannot receive treatment. —CHURCH OF CHRIST PASTOR, HEBON COUNTY

In late October, when USCIRF visited Yida refugee camp in South Sudan, the camp held more than 17,000 people who had fled Southern Kordofan, with new arrivals averaging about 280-300 per day. The camp was set up and is administered by the refugees themselves. At the time of this publication, camp administrators reported that that number has increased to more than 22,000 persons, with more than 300 people arriving daily. More than 60 percent of the residents are women and children, and a large percentage of the children are unaccompanied minors. The camp will soon reach capacity, and is expecting 40,000 refugees by the end of the year.

Yida is located 10 miles from the border with Southern Kordofan and from there refugees can see attack aircraft fly over Jao, the closest city in Southern Kordofan. International NGO interlocutors expressed concerns, given Yida's proximity to the border, that it could be bombed. This fear became reality on November 10, 2011, when the SAF dropped four bombs in and around the camp. One bomb landed in a schoolyard, but fortunately did not explode. More than 300 students were in class at that time.

Samaritan's Purse and CARE are providing assistance to the refugees, but the camp's isolated location makes it difficult to deliver aid. Bentiu, the city closest to the camp, is more than a four-hour drive away and the roads are easily flooded during the rainy season and dangerous due to landmines. Refugees and Samaritan's Purse cleared land for a small landing strip for planes to fly in food and other materials from the World Food Program. However, with the increasing

The SAF and PDF targeted religious leaders and worshippers, along with houses of worship at the start of the fighting in Kadugli, Southern Kordofan.

numbers of refugees arriving each day, food and other items are in short supply. Access to water is a particular concern given the camp has only one borehole.

To address the danger and accessibility issues that have arisen given its current location, the Office of the UN High Commissioner for Refugees (UNHCR) has proposed moving the camp to Nyeel, an established site in South Sudan with infrastructure for medical clinics, schools, water, and other services. To date, however, the refugees have been unwilling to move. They expressed concern to USCIRF about the land at Nyeel because it floods during the rainy season and has been the subject of disputes between local ethnic groups. The Yida refugees also said that they wanted to be close to Southern Kordofan so that they could return more easily and quickly to their homes should the conflict end.

USCIRF also met in Juba with a number of refugees from Southern Kordofan and Blue Nile. Although their total numbers are unknown, at the time of USCIRF's October visit, about 1,500 people had registered with UNHCR and received a one-month food ration. Living arrangements vary among the refugees. Some are living in the homes of relatives, while the refugees with whom USCIRF met were living in UNHCR tents or in wooden shacks. They collected rainwater for drinking and cooking and international NGOs donated mosquito nets.



Children at Yida refugee camp in South Sudan receive their family's weekly food portion.

churches, mosques, and schools. USCIRF interviewed a number of refugees who fled the bombing campaign and reported seeing churches and mosques destroyed or damaged by the bombings in the Nuba Mountains. In further violation of international humanitarian law, President Bashir is denying international, unrestricted humanitarian access in the two states. As a consequence, USCIRF interviewed dozens of refugees who fled food shortages.

The attacks against Christians, ethnic Nubans, and the SPLM-N/SPLA-N in Southern Kordofan and Blue Nile is a core component of the larger battle for the future status in Sudan of religious and political freedoms. In December 2010, President Bashir announced that Sudan's new constitution will be based on sharia and will exclude references to Sudan's religious, ethnic, and cultural diversity. In 2011, more than 100 nonconforming Muslims have been arrested for apostasy, churches have been attacked, and Christians in Kharoum question their future in the country. As Khartoum wages war and denies crucial assistance to civilians in the two states, President Bashir and the NCP have engaged in a nationwide crackdown on civil society. Hundreds of SPLM-N supporters have been arrested and the party's offices and equipment confiscated, peaceful protesters have been detained and tortured, and newspapers have been censored.

The human rights and religious freedom violations documented in this report will only continue in the two states and elsewhere in Sudan until the undemocratic and abusive governance of President Bashir and the NCP is addressed. Sudan must move toward democratization, protection of human rights, and resolution of political and economic marginalization.

CONCLUSION

The actions documented in this report by the government of Sudan, through the Sudan Armed Forces and the paramilitary Popular Defense Forces, constitute violations of human rights law, including freedom of religion or belief. In the conflict in Southern Kordofan, the government specifically targeted persons because of their religious and ethnic identities. Christians, because they were non-Muslim, were seen as being enemies of the state and Islam. Christians were either killed, or threatened with death, based solely on their religious identity. Specific Christian

houses of worship were attacked by government forces. Nuban Muslims also had their religious freedom rights violated, because the government in Khartoum views their ethnicity to be a hindrance to them being "good" Muslims. As such, both Christians and Muslims were attacked in their own houses of worship as they prayed.

The government also continues to violate international humanitarian law in Southern Kordofan and Blue Nile. USCIRF was continually told that the SAF is specifically conducting aerial bombardments on areas where civilians congregate, including

RECOMMENDATIONS

1 To address the urgent humanitarian situation in Southern Kordofan and Blue Nile, the U.S. government should:

- ▶ Build international pressure on the government of Sudan to allow unrestricted humanitarian assistance to all areas in the two states
- ▶ Fund operations that would provide humanitarian assistance to persons in need in Southern Kordofan and Blue Nile, including but not limited to food and medical care;
- ▶ Encourage the Republic of South Sudan and Ethiopia to continue to allow displaced persons from Southern Kordofan and Blue Nile to access refugee status in their respective countries; and
- ▶ Fund United Nations and non-governmental organizations' operations that would provide food, shelter, medical care, education, and other assistance to refugees from Southern Kordofan and Blue Nile in the Republic of South Sudan and Ethiopia.

2 To address human rights abuses committed in Southern Kordofan and Blue Nile, the U.S. government should:

- ▶ Support an independent international inquiry into reported violations of international human rights and humanitarian law and bring perpetrators to account;
- ▶ Urge the government of Sudan to release immediately all individuals arbitrarily detained;
- ▶ Encourage UN special procedures including the following: the Independent Expert on the situation of human rights in Sudan, Working Group on Arbitrary Detention, Working Group on Enforced or Involuntary Disappearances, Special Rapporteur on extrajudicial, summary or arbitrary executions, Special Rapporteur on freedom of religion or belief, Special Rapporteur on the human rights of internally displaced persons, and the Independent Expert on Minorities, to access Southern Kordofan and Blue Nile to conduct fact-finding and report on violations of international human rights and humanitarian law;

▶ Continue to work with the African Union High-Level Implementation Panel and African allies to encourage parties to the conflict in Southern Kordofan and Blue Nile to return to negotiations; and

▶ Impose financial and other sanctions on officials responsible for human rights abuses in Southern Kordofan and Blue Nile, and work with our allies to do the same.

3 To address the underlying political and security issues in Sudan impacting the conflicts in Southern Kordofan and Blue Nile, the U.S. government should:

- ▶ Support a national, inclusive, and diverse consultation and constitution drafting process that would address nationwide political and economic injustices; and
- ▶ Urge allies to refrain from providing economic assistance and debt relief to the government of Sudan until it allows unrestricted humanitarian assistance to persons in Southern Kordofan and Blue Nile, ends hostilities, and abides by its international commitments to universal human rights.

