



## UNITED STATES COMMISSION *on* INTERNATIONAL RELIGIOUS FREEDOM

# POLICY UPDATE

November 2017

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### USCIRF's Mission

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*To elevate and promote  
international religious  
freedom as a norm  
and practice.*

## Sudan: The Shrinking Space for and Increasing Persecution of Christians

In 1999, the U.S. Commission on International Religious Freedom (USCIRF) first recommended that the U.S. government designate Sudan as a “country of particular concern,” or CPC, for engaging in systematic, ongoing, and egregious violations of freedom of religion or belief. At the time of the recommendation, USCIRF identified Sudan as the world’s most violent abuser of the right to freedom of religion or belief due to the government’s actions in the North-South Civil War. In 2005, after the Sudanese government and the rebel Sudan Peoples’ Liberation Movement signed the Comprehensive Peace Agreement (CPA), USCIRF urged the U.S. government to sustain its high-level engagement to ensure the peace agreement’s religious freedom and human rights protections were implemented.

Indeed, between 2005 and 2011, religious freedom for Sudan’s minority Christian community improved in the North and South. The CPA ended the violence and provided autonomy to South Sudan, ceasing the government’s gross religious freedom violations in the South. In the North, what remains of Sudan today, the Sudanese government approved the construction of three churches in Khartoum, implemented the CPA-mandated Commission on the Rights in Non-Muslims in the National Capital Area, and exempted Christians from Shari’ah law enforcement, which remained in effect in the North. While governmental discrimination and favoritism toward Islam, and the inclusion of Shari’ah legal codes remained, Christians in the North were left alone to practice their faith. Indeed, in 2009, during a USCIRF trip to Khartoum, pastors said their only concern was a prohibition on brewing beer.

However, since South Sudan’s secession in 2011, USCIRF has documented an escalation in the Sudanese government’s persecution of Christians. The government’s persecution of Christians is in line with the ruling National Congress Party’s (NCP) long standing campaign to strengthen Sudan’s Islamic and Arabic identity, disregarding the



country's vast religious and ethnic diversity. Peace agreements remain out of reach in Darfur, the Nuba Mountains, and Blue Nile. Security officers have arrested on the capital offense of apostasy more than 150 Muslims who practice an interpretation of Islam different than that espoused by NCP. In 2015, the National Assembly strengthened penalties for apostasy and blasphemy.

In this environment, Christians have faced particular persecution as a religious community. Over a six-year period, the Sudanese government has arrested almost 200 Christians, including 14 religious authorities; threatened dozens of churches and related church buildings, including through demolition, closure, and expropriation; and continued to discriminate against Christians and promote Islam. Nuban Christians in the Nuba Mountains Khartoum and Omdurman have been especially targeted as both religious and ethnic minorities. The government's under the radar destruction and expropriation of churches and arrest of pastors is part of a broader campaign to shrink the space available for Christians to practice their faith. The Sudanese government justifies this persecution by misleadingly arguing that with South Sudan's secession, there are no more Christians.

In response to these religious freedom violations, as well as other violations, USCIRF continues to recommend that the State Department designate Sudan as a CPC.

## **Background**

### **Demographics**

More than 97 percent of the Sudanese population is Muslim. The vast majority of Sudanese Muslims are Sunni. Minority Muslim populations include Shi'a, Republican Brothers, Quaranists, and Salafists.

Sudan's diverse Christian population is estimated at 3 percent. Sudan has three numerically small Orthodox communities: the Coptic Orthodox Church is Sudan's oldest Christian community and is based in urban areas, the Greek Orthodox Church is composed of descendants of Greeks and Syrians from the Ottoman period and also is found in urban areas, and the Ethiopian Orthodox Church is composed of Ethiopian and Eritrean refugees and is found in Khartoum and the eastern state of Kassala. The "mainstream churches" are those established during the colonial era and include Anglicans, Presbyterians, and Roman Catholics. These churches are present nationwide. Pentecostal Christian communities in Khartoum are relatively new and growing.

## Legal Protections for Freedom of Religion or Belief

In 2006, Sudan adopted the Interim National Constitution.

The Interim National Constitution includes religious freedom protections and respects Sudan's international human rights commitments. Article 1 recognizes Sudan as a multireligious country; article 6 articulates a series of religious freedom rights, including to worship, assemble, establish and maintain places of worship and charitable organizations, teach religion, train and elect religious leaders, observe religious holidays, and communicate with coreligionists; and article 31 prohibits discrimination based on religion. However, article 5 provides that "Islamic sharia and the consensus of the people" shall be the "leading sources" of legislation, thereby restricting freedom of religion or belief.

After South Sudan's secession in 2011, the Sudanese government deleted all constitutional references to the South, shut down the Commission on the Rights of Non-Muslims in the National Capital Area, and maintained the Interim National Constitution until officials drafted and adopted a new constitution. To date, a new constitution has not been presented.

USCIRF has expressed concern that President al-Bashir's statements—proclaiming Sudan's new constitution will enshrine Islamic law as the main source of legislation and will not include references to Sudan's multifaith, multiethnic, and multilingual makeup—are dangerous signs for the future of religious diversity in the country.

## Arrest and Detention of Christians

Since 2011, Sudanese authorities have arrested almost 200 Christians, including 14 religious authorities. Half of the arrests occurred as Christians protested government efforts to demolish or expropriate church properties. Furthermore, in 2014 and 2015, Sudanese authorities arrested and deported almost 100 foreign Christians accused of illegal proselytization.

Arrested Since 2011:

200

Christians

14

Religious Leaders

Arrested Christians include pastors who worked with Czech national Petr Jašek as he documented human rights and religious freedom violations in Sudan, Christians protesting government efforts to demolish or seize their religious buildings, and Christian foreign workers accused of illegal proselytization. In contrast, between 2006 and 2011 only one Christian was arrested and convicted. In December 2007, a British teacher was convicted of blasphemy, inciting religious hatred, showing contempt for religious beliefs, and insulting Islam for permitting her seven-year old students to name a teddy bear "Muhammed." She was subsequently pardoned and immediately deported.

Of the 14 religious leaders arrested since 2011, three pastors were detained for months, prosecuted on multiple charges—including ones carrying the death penalty—and convicted. At the time of this writing, one pastor is required to report to National Intelligence Security Services (NISS) daily. Two pastors fled Sudan after their release, fearing further persecution. Arrests include:

- **Rev. Mubarak Hamad, Sudan Council of Churches**, arrested March 7, 2017: Rev. Hamad was arrested after holding a press conference calling for the Sudanese government to cease its church destructions. He was released and ordered to report to NISS offices daily.

- **Pastor Amir Suleiman, Sudan Evangelical Presbyterian Church**, arrested October 6, 2016: Pastor Suleiman was arrested after protesting government efforts to expropriate his church's Evangelical Basic School. He was detained for four days and released on bail.
- **Rev. Ismail Zakaria, Sudan Evangelical Presbyterian Church**, arrested October 6, 2016: Rev. Zakaria was arrested after protesting government efforts to expropriate the Evangelical Basic School. He was detained for four days and released on bail.
- **Pastor Amir Suleiman, Sudan Evangelical Presbyterian Church**, arrested September 5, 2016: Pastor Suleiman was arrested after protesting government efforts to expropriate the Evangelical Basic School. He was released later that day without charge.
- **Pastor Daniel Welia, Sudan Evangelical Presbyterian Church**, arrested August 13, 2016: Pastor Welia was detained for three days after rejecting government efforts to force him to step down as the legitimate committee secretary of his church.
- **Pastor Ayoub Tilian, Sudan Church of Christ**, arrested March 21, 2016: Pastor Tilian was arrested and questioned in connection with the arrest of Mr. Jašek. He was released that same day without charge and ordered to report to NISS offices daily.
- **Rev. Yagoub Naway, Sudan Church of Christ**, arrested March 21, 2016: Rev. Naway was arrested and questioned in connection with the arrest of Mr. Jašek. He was released that same day without charge and ordered to report to NISS offices daily.
- **Rev. Kuwa Shamal, Sudan Church of Christ**, arrested December 17, 2015: Rev. Shamal was arrested in connection with the arrest of Mr. Jašek. He was released days later, but told to report to NISS offices daily until January 16, 2016. His daily reporting requirements were reinstated in February 2016. NISS rearrested Rev. Shamal on May 24, 2016. He was formally charged on August 11, 2016,

with seven crimes under the criminal code: complicity to execute a criminal agreement (article 21); waging war against the state (article 51); espionage (article 53); calling for opposition of the public authority by violence or criminal code (article 63); inciting hatred between the classes (article 64); propagation of false news (article 65); and entry and photograph of military areas and equipment (article 57). Conviction under articles 51 and 53 each carry the death sentence. On January 2, 2017, a judge dismissed the charges against Rev. Shamal; he was subsequently released from prison.

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Since 2011, Sudanese authorities have arrested almost 200 Christians.

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- **Rev. Hassan Abduraheem Kodi Taour, Sudan Church of Christ**, arrested December 17, 2015: Rev. Taour was arrested in connection with the arrest of Mr. Jašek. On May 9, 2016, Rev. Taour was transferred from NISS detention to the custody of the attorney general. He was formally charged on August 11, 2016, with seven crimes under the criminal code: complicity to execute a criminal agreement (article 21); waging war against the state (article 51); espionage (article 53); calling for opposition of the public authority by violence or criminal code (article 63); inciting hatred between the classes (article 64); propagation of false news (article 65); and entry and photograph of military areas and equipment (article 57). Conviction under articles 51 and 53 each carry the death sentence. On January 29, 2017, a judge found Rev. Taour guilty of abetting espionage and sentenced him to 10 years' imprisonment, and guilty of inciting hatred between sects and for propagation of false news and sentenced him to two years' imprisonment. The judge directed that the sentences were to be served consecutively. Attorneys for Rev. Taour appealed his conviction and sentence. On May 11, 2017, President al-Bashir pardoned Rev. Taour and he was released that same day.

- **Petr Jašek, Czech Christian aid worker**, arrested December 17, 2015: Jašek was arrested for filming a documentary about religious freedom and human rights abuses in the Nuba mountains. He was formally charged on August 11, 2016, with seven crimes under the criminal code: complicity to execute a criminal agreement (article 21); waging war against the state (article 51); espionage (article 53); calling for opposition of the public authority by violence or criminal code (article 63); inciting hatred between the classes (article 64); propagation of false news (article 65); and entry and photograph of military areas and equipment (article 57). Conviction under articles 51 and 53 each carry the death sentence. On January 29, 2017, a judge found Jašek guilty of espionage and sentenced him to life imprisonment. The judge also sentenced Jašek to three and half years’

imprisonment and fined him 100,000 Sudanese pounds (approximately \$15,000) for entering and photographing military areas, inciting hatred between sects, propagating false news, entering the country illegally, and other charges. On February 23, President al-Bashir pardoned Jašek; he was released on February 24 and left Sudan shortly thereafter.

- **Pastor Hafiz Mengisto, Bahri Evangelical Church**, arrested July 1, 2015: Pastor Mengisto was arrested while protesting a church demolition and released later that day on bail. On December 14, 2015, he was charged with obstructing a public servant from doing his duties. He was acquitted on December 29, 2015.



REUTERS/Mohamed Nureldin Abdullah

*South Sudanese worshippers attend Sunday prayers in Baraka Parish church at Hajj Yusuf, on the outskirts of Khartoum, February 10, 2013.*

- **Rev. Peter Yein Reith, Bahri Evangelical Church**, arrested January 11, 2015: Rev. Reith was arrested after protesting the Sudanese government's arrest of Rev. Yat Michael (see below) and its efforts to confiscate Bahri Evangelical Church property. He was held at an undisclosed location and was not granted access to lawyers and family until March 1, 2015. On May 8, 2015, Rev. Reith was charged with undermining the constitutional system (article 50 of the Sudanese Criminal Code); waging war against the state (article 51); disclosure and receipt of official information or documents (article 55); arousing feelings of discontent among regular forces (article 62); breach of public peace (article 69); and offences relating to insulting religious beliefs (article 125). Violations of article 50 carry life imprisonment, and violations of article 51 carry the death penalty. The trial against Rev. Reith concluded on August 6, 2015, when he was convicted of a minor offence of inciting hatred and released from prison for time served. Rev. Reith returned to South Sudan following his release.
- **Rev. Yat Michael, Bahri Evangelical Church**, arrested December 28, 2014: Rev. Michael was arrested after urging parishioners at a church service to stand firm against government efforts to expropriate their church. He was held at an undisclosed location and was not granted access to lawyers and family until March 1, 2015. On May 8, 2015, Rev. Michael was charged with undermining the constitutional system (article 50 of the Sudanese Criminal Code); waging war against the state (article 51); disclosure and receipt of official information or documents (article 55); arousing feelings of discontent among regular forces (article 62); breach of public peace (article 69); and offences relating to insulting religious beliefs (article 125). Violations of article 50 carry life imprisonment, and violations of article 51 carry the death penalty. Rev. Michael's trial concluded on August 6, 2015, when he was convicted of a minor offence of breaching public peace and released from prison on time served. Rev. Michael returned to South Sudan following his release.
- **Rev. Markus Anthony, Coptic Orthodox Church**, arrested December 16, 2012: Rev. Anthony was arrested for trying to convert a Muslim woman. He was released in June 2013.
- **Rev. Sarbion Hussein, Coptic Orthodox Church**, arrested December 16, 2012: Rev. Hussein was arrested for trying to convert a Muslim woman. He was released in June 2013.

#### **Meriam Yahia Ibrahim Ishag**

In the spring and summer of 2014, the Sudanese government's conviction of a pregnant, Christian Meriam Yahia Ibrahim Ishag of the capital offense of apostasy drew widespread international attention and condemnation. On May 15, 2014, the Sudanese government sentenced Meriam to death by hanging because although she said she was raised a Christian, a family member said she was raised a Muslim and thus was guilty of apostasy for converting. In addition, because the court did not recognize her marriage to a Christian man, she also was found guilty of adultery and sentenced to 100 lashes. While imprisoned in the Omdurman Federal Women's Prison with her two-year-old son, Meriam give birth to a baby girl on May 27, 2014. On June 23, an appeals court cancelled the apostasy charges and death sentence and ordered her release from prison, finding that she was not an apostate. The next day, she and her family were detained at Khartoum International Airport as they sought to leave the country. From June 27 to July 24, when she was permitted to leave Sudan, Meriam, her husband (a U.S. citizen), and their two children took refuge at the U.S. Embassy in Khartoum.

## Threats to Churches

Since 2011, dozens of Sudanese churches and related church buildings have been subjected to actual or threatened destruction, closure, and expropriation by the Sudanese government. The vast majority of churches targeted were located in Khartoum and its twin city Omdurman and have existed for decades.

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Almost 50 churches and related church buildings were demolished, partially demolished, or threatened with demolition since 2011.

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Sudanese officials have given two reasons for the government's bulldozing and expropriation of churches and church buildings. First, government officials argue that the land on which the churches are located is valuable and is now zoned for development purposes. However, the majority of the targeted churches are located in shanty towns where development is not occurring. Further, mosques located in the same zones similarly are not destroyed or confiscated. Second, Sudanese officials have stated that churches demolished or confiscated were "South Sudanese" churches and now are unnecessary. Compounding this situation, in 2014 the Sudanese Minister of Guidance and Religious Endowments announced that the government will no longer issue permits to build new churches, alleging that the current number of churches is sufficient for the Christians remaining in Sudan after South Sudan's 2011 secession. In contrast, between 2005 and 2011, that same ministry issued permits to build three new churches.

USCIRF has documented almost 50 churches and related church buildings that were demolished, partially demolished, or threatened with demolition since 2011. Five of these buildings were destroyed in Khartoum's bombing campaign that targeted civilian gathering areas in Southern Kordofan.

- **Sudan Church of Christ, demolished**, May 17, 2017, Khartoum: Authorities demolished the church claiming that the land is zoned for other purposes. The church was among the 27 that received demolition notices in June 2016.
- **Three Sudan Church of Christ churches, threatened**, September 29, 2016, Omdurman: The Ministry of Planning and Urban Development issued a letter to these churches stating that their houses of worship sit on land designated as private property for gardens and would be demolished.
- **Episcopal Church of Sudan, threatened**, September 29, 2016, Omdurman: The Ministry of Planning and Urban Development issued a letter stating that the church sits on land designated as private property for gardens and would be demolished.
- **Twenty-seven churches, threatened**, June 13, 2016, Khartoum: The Khartoum State Executive Corporation for the Protection of Government Lands, Environment, Roads and Demolition of Irregularities notified 27 churches that they would be demolished because they are built on land zoned for other purposes. At the time of this writing, the churches have filed a case against the orders.
- **Sudan Church of Christ, demolished**, October 27, 2015, Omdurman: Authorities demolished a church building, stating it was on government land.
- **Lutheran Church and Lutheran Evangelical Church, demolished**, October 21, 2015, Omdurman: Authorities demolished a building used by both of these denominations, stating it was on land designated for other purposes.
- **Sudan Evangelical Presbyterian Church, demolished**, July 1, 2015, Bahri: Authorities demolished a church of this denomination.
- **Bahri Evangelical Church, demolished**, December 2, 2014, Khartoum: Authorities demolished part of a church of this denomination.

- **Bahri Evangelical Church, demolished**, November 17, 2014, Khartoum: Authorities demolished part of a church of this denomination.
- **Episcopal Church of Sudan**, October 2014, Al Atmor: Sudanese Armed Forces dropped four bombs on a church, destroying it and nearby property.
- **Sudan Church of Christ, bombed**, June 30, 2014, Thiba Al Hamyida: Authorities demolished a church of this denomination.
- **Sudan Church of Christ, bombed**, June 18, 2014, Um Dorain: Sudanese Armed Forces bombed two buildings of this denomination.
- **Sudan Church of Christ, demolished**, February 17, 2014, Omdurman: Authorities demolished a building of this denomination.
- **Evangelical Church, bombed**, March 11, 2013, Angolo: Sudanese Armed Forces bombed a church of this denomination.
- **Sudan Pentecostal Church, demolished**, January 2, 2013, Khartoum: The Khartoum State Ministry of Physical Infrastructure ordered police to demolish a church of this denomination, and police did so.
- **Catholic Church, bombed**, November 17, 2012, Heiban: Sudanese Armed Forces bombed a church of this denomination.
- **Episcopal Church of Sudan, bombed**, June 2012, Khartoum: Authorities demolished a church of this denomination.
- **Catholic Church, demolished**, June 2012, Khartoum: Authorities demolished a church of this denomination.  
An additional four churches were attacked by religious extremists.
- **Lutheran Church of Sudan**, October 16, 2015, Al Qadaris: Extremists set fire to a church building.
- **Gerif West Bible School and a Sudan Presbyterian Evangelical Church**, April 21, 2012, Khartoum: Extremists set fire to a bible school and a church building.
- **Cita Oberel Chapel**, August 30, 2011, Omdurman: Men wielding sticks disrupted a Sunday mass, injuring one.
- **Lutheran Evangelical Church**, June 28, 2011, Omdurman: Extremists attempted to set fire to a church.  
Sudanese authorities have expropriated or threatened to expropriate an additional 10 churches and church buildings.
- **Evangelical Basic School**, October 24, 2016, Madani: Authorities cancelled classes and expropriated the Sudan Evangelical Presbyterian Church-owned school.
- **Bahri Evangelical Church school**, July 7, 2016, Khartoum: Authorities attempted to seize a school.
- **Khartoum Christian Center**, August 13, 2014, Khartoum: Authorities closed the Sudan Pentecostal Church's center.
- **Sudan Church of Christ building**, February 17, 2014, Omdurman: Authorities confiscated a church building.
- **Bahri Evangelical Church**, October 5, 2014, Khartoum: Authorities expropriated a church.
- **Sudan Evangelical Presbyterian Church offices**, June 25, 2013, Khartoum: Authorities raided church offices.
- **New Life Church**, March 2, 2013, Omdurman: Authorities raided a church.
- **Sudan Evangelical Presbyterian Church**, February 18, 2013, Khartoum: Authorities confiscated religious materials from this church.

- **Seven churches**, January 15–16, 2013, Khartoum: Authorities threatened to confiscate churches affiliated with the Roman Catholic Church, the Presbyterian Church of Sudan, the African Inland Church, the Episcopal Church of Sudan, the Seventh-day Adventist Church, and the Sudan Pentecostal Church, as well as a health center operated by the Sudan Council of Churches.

#### **Sudan Evangelical Presbyterian Church and the Bahri Evangelical Church**

Sudanese authorities particularly target the Bahri Evangelical Church, a denomination within the Sudan Evangelical Presbyterian Church. These churches' congregations include ethnic Nuban and South Sudanese Christians.

For years, the Sudanese government has demolished or expropriated Bahri Evangelical Church and Sudan Evangelical Presbyterian Church churches and related buildings. In 2014, the Bahri Evangelical Church entered into a legal battle to maintain ownership of its property and land.

The government also has sought to impose a leadership committee on the Sudan Evangelical Presbyterian Church. In 2013, the Sudanese Ministry of Guidance and Endowments empowered an illegally constituted governing committee to act on behalf of the denomination; in 2015, a Khartoum Administrative Court found this move to be illegal and ordered that the legitimate committee, led by Rafat Obid, be empowered to administrate the denomination. However, the Ministry of Guidance and Endowments in April 2016 refused to acknowledge Obid's committee.

#### **Government Promotion of Islam**

Government policies and societal pressure promote conversion to Islam. The government tolerates the use of humanitarian assistance to induce conversion to Islam; grants permits routinely to construct and operate mosques, often with government funds; and provides Muslims preferential access to government employment and services and favored treatment in court cases against non-Muslims. The Sudanese government prohibits foreign church officials from traveling outside Khartoum and uses school textbooks that negatively stereotype non-Muslims. While Sudanese labor laws require employers to give Christian employees two hours off prior to 10:00 a.m. on Sundays for religious purposes, this does not occur in practice. The International Labor Organization reports that Christians are pressured to deny their faith or convert to Islam to gain employment.

Although the government routinely grants permits to construct and operate mosques, and supports mosque construction with government funds, permission to build churches often is difficult to obtain. Since the CPA's signing in 2005, only three churches have received building permits and are reportedly under construction. Churches built without official permission by owners who register land for personal rather than church use exist at the authorities' sufferance. Even legally recognized church-owned properties are vulnerable to official harassment.



## UNITED STATES COMMISSION *on* INTERNATIONAL RELIGIOUS FREEDOM

### WHO WE ARE

The U.S. Commission on International Religious Freedom (USCIRF) is an independent, bipartisan U.S. federal government commission created by the 1998 International Religious Freedom Act (IRFA) that monitors the universal right to freedom of religion or belief abroad. USCIRF uses international standards to monitor violations of religious freedom or belief abroad and makes policy recommendations to the President, the Secretary of State, and Congress. USCIRF Commissioners are appointed by the President and Congressional leaders of both political parties. The Commission's work is supported by a professional, nonpartisan staff of regional subject matter experts. USCIRF is separate from the State Department, although the Department's Ambassador-at-Large for International Religious Freedom is a non-voting, ex officio Commissioner.

### WHAT IS RELIGIOUS FREEDOM

Inherent in religious freedom is the right to believe or not believe as one's conscience leads, and live out one's beliefs openly, peacefully, and without fear. Freedom of religion or belief is an expansive right that includes the freedoms of thought, conscience, expression, association, and assembly. While religious freedom is America's first freedom, it also is a core human right international law and treaty recognize; a necessary component of U.S. foreign policy and America's commitment to defending democracy and freedom globally; and a vital element of national security, critical to ensuring a more peaceful, prosperous, and stable world.

### Professional Staff

**Dwight Bashir**

*Director of Research and Policy*

**Elizabeth K. Cassidy**

*Director of International Law and Policy*

**Judith E. Golub**

*Director of Congressional Affairs & Policy and Planning*

**John D. Lawrence**

*Director of Communications*

**Elise Goss-Alexander**

*Researcher*

**Andrew Kornbluth**

*Policy Analyst*

**Tina L. Mufford**

*Senior Policy Analyst*

**Jomana Qaddour**

*Policy Analyst*

**Karen Banno**

*Office Manager*

**Roy Haskins**

*Manager of Finance and Administration*

**Zachary Udin**

*Legislative Analyst*

**Henry Young**

*Travel Specialist*