

SUDAN

USCIRF—RECOMMENDED FOR SPECIAL WATCH LIST

KEY FINDINGS

Religious freedom conditions in Sudan improved significantly in 2019, although serious challenges remain. It was a historic year for the country, with the [removal](#) of President Omar al-Bashir from power in April and the [installation](#) of a joint civilian-military transitional government in August, empowering civilian leaders for the first time in three decades. Religious freedom conditions prior to the fall of the former regime were similarly poor to those in 2018; under al-Bashir, the government engaged in dialogue with international actors and domestic stakeholders on religious freedom issues, but religious minority communities and the Sunni Muslim majority continued to face egregious restrictions and abuses. Based on the former government's particularly severe violations of religious freedom, USCIRF had recommended Sudan's designation as a "country of particular concern," or CPC, under the International Religious Freedom Act (IRFA) every year since 2000, including in April 2019.

However, within the first several months of assuming power in August, the transitional government, under the leadership of Prime Minister Abdalla Hamdok, made concrete moves to improve religious freedom. It informally allowed the Muslim-minority Republican Party to operate openly for the first time, and extended improved representation to what it deems "traditional" Christian communities, including the [appointment](#) of a Coptic Christian woman as a member of the Sovereign Council. Most notably, the government announced in December the [repeal](#) of a public order law that the former regime

had used to [enforce](#)—often violently—its Islamist vision of severe constraints on Sudanese society, with the harshest restrictions directed toward women and other vulnerable segments of the population.

Transitional government officials also launched an ambitious program of outreach to domestic and international stakeholders to seek support for reforms. Senior officials from the Ministry of Religious Affairs and Endowments and the Ministry of Education, among others, visited some of Sudan's long-marginalized peripheral areas. A high-ranking delegation [visited](#) Washington, DC, in December 2019; in the group's [meeting](#) with USCIRF, Prime Minister Hamdok expressed his government's commitment to implementing substantive improvements to religious freedom, including repealing the notorious blasphemy and apostasy laws—articles 125 and 126 of the Penal Code, respectively—in the near future. Later that month, the transitional government [announced](#) the designation of December 25 as a national holiday in celebration of Christmas, out of respect for the country's sizeable Christian community. In February 2020, shortly after the reporting period, USCIRF visited Sudan to assess religious freedom conditions—meeting with Prime Minister Hamdok, other senior officials, and representatives of religious communities and civil society. Based on this visit, USCIRF determined that the transitional government has ended the former regime's most egregious forms of religious repression and reaffirmed its commitment to substantive change.

RECOMMENDATIONS TO THE U.S. GOVERNMENT

- Maintain Sudan on the U.S. Department of State's Special Watch List for engaging in or tolerating severe religious freedom violations pursuant to IRFA;
- Provide Sudan's Ministry of Education with funding and technical support for its program of comprehensive curricular reform to replace intolerant content in textbooks issued by the former regime with new materials and accompanying teacher training that support religious freedom and inclusivity;
- Allocate funding and other forms of economic assistance to provide the transitional government with technical support on transitional justice and other legal and constitutional reforms, in order to improve Sudan's ability to achieve a stable and lasting transition that will foster a social and political environment conducive to religious freedom and other basic human rights; and
- Prioritize, through the work of the U.S. Special Envoy on Sudan, efforts to 1) create a high-level international advisory body for human rights in Sudan to hold regular dialogues on reform and progress with its international allies; and 2) encourage the transitional government to invite the United Nations (UN) Special Rapporteur for freedom of religion or belief, Ahmed Shaheed, to Sudan.

KEY USCIRF RESOURCES & ACTIVITIES

- **Commission delegation visit:** [Khartoum](#) in February and March 2020
- **Special Report:** [Apostasy, Blasphemy, and Hate Speech Laws in Africa](#)
- **Press Statement:** [USCIRF Applauds Sanctions on Salah Gosh for Gross Human Rights Violations](#)
- **Press Statement:** [USCIRF Encouraged by Appointment of Special Envoy to Sudan, Urges Close Scrutiny of Religious Freedom during Transition](#)

Background

The [population](#) of Sudan is estimated at more than 43 million people; Pew Research [estimates](#) that 90.7 percent of the population is Muslim; 5.4 percent is Christian; and the remaining groups include Buddhists, Hindus, Baha'is, followers of indigenous religions, and others. Although the Interim National Constitution of 2005 enshrined the freedom of religion or belief, it affixed Islam—according to a narrow, Islamist interpretation of Islamic jurisprudence—as the source of law and, in practice, the former regime consistently and egregiously violated religious freedom. It systematically oppressed religious minorities, including some Christian groups whose churches, businesses, and other properties it targeted for confiscation and demolition, and whose leadership it systematically harassed and arrested. At the same time, minority-Muslim groups, such as the Republican Party, Shi'a Muslims, and Quranists, also faced ongoing persecution. The National Intelligence and Security Services (NISS) often perpetrated these violations, and its personnel closely monitored the activities of religious leaders.

In addition to such repression and persecution, the former regime also directed particular disdain, neglect, and violence to peripheral areas of the country, such as Darfur and the “Two Areas” of South Kordofan and Blue Nile. The regime’s antagonism toward those regions resulted in massive underdevelopment, severe repression of traditional religious communities and ethnic minorities, and a series of brutal civil conflicts that [remained unresolved](#) at the time of al-Bashir’s deposition in April 2019.

In August, civilian and military leaders [signed](#) the Draft Constitutional Charter for a 39-month transitional period, including the formation of a Sovereign Council and Council of Ministers to oversee the process in lieu of elected leadership or an independent legislative branch. The new charter prioritizes transitional justice and legal reforms, and it protects freedom of religion or belief while notably excluding reference to Islam as the primary source of law, signaling a fundamental—if still ongoing—shift in the relationship between religion and state. However, it continued to reference Shari’a enforcement, and the Transitional Military Council [said](#) in May before its agreement to share power in a transitional government that it still planned to rely on Islamic law to inform legislation—suggesting that this entrenched Islamic framework is likely to still influence Sudanese governance in the short to medium term. The transitional government also moved quickly to provide justice for crimes committed by the deposed former regime; in August it indicted al-Bashir on the first round of corruption charges, and in December a court [convicted and sentenced](#) him to two years in prison.

Transitional Reforms

The transitional government signaled a series of crucial shifts in discourse and policy by the end of 2019. At a September 24 meeting of the UN Human Rights Council, Justice Minister Nasr Al Deen Abdel Bary [explicitly called out](#) the former regime’s marginalization of peripheral regions—where indigenous religious communities play a significant role—as the “root cause” of their respective conflicts. The following day, Sudan [signed](#) a crucial agreement with the UN High Commissioner for Human Rights to open offices in several of those peripheral areas,

in a sign that the concurrent peace processes in those regions represented an immediate priority. Meanwhile, the transitional government continued to take positive steps in early 2020, including deliberation on a “Miscellaneous Law” that is [expected](#) to abolish articles 125 and 126, as well as the issuance of a March 2020 decree [disbanding](#) former regime-appointed church councils. Finally, following a decade of former president al-Bashir flouting the international warrant for his arrest—which the International Criminal Court (ICC) issued in 2009 for genocide and war crimes Darfur during the conflict in the mid-2000s—in February 2020 the transitional government [agreed](#) in principle to allow al-Bashir to stand trial before the ICC.

Ongoing and Systematic Challenges

Widespread optimism surrounding Sudan’s efforts to leave behind a deeply repressive system is inescapable. However, the bureaucratic, legal, and ideological burdens of the former regime’s 30 years in power still weigh heavily on religious minorities and other vulnerable populations. Protestant Christian groups who bore the brunt of the former regime’s persecution of Christians—including oppressive surveillance, property confiscations, church destructions, and the creation of shadow church councils to obfuscate its actions—continued to have concerns, despite some improvements. They have acknowledged that the transitional government decisively ended the most egregious forms of persecution, but they insisted that it has not yet dismantled the convoluted system of zoning restrictions, bureaucratic impasses, and other obstacles that prevent them from reclaiming property, receiving formal recognition, and otherwise trusting that their situation has irrevocably changed. Other religious minorities—including Shi’a Muslims, Baha'is, Hindus, and adherents of indigenous practices in peripheral areas—remain marginalized from formal institutions and from the emerging national discourse regarding the advancement of religious freedom.

Key U.S. Policy

Bilateral relations improved significantly in 2019. U.S. officials had repeatedly put forward over the prior four years a Religious Freedom Action Plan for the former government, which suggested reforms to align Sudan with international standards for freedom of religion or belief, including changes to its legal framework and an end to abusive practices such as the demolition of churches. The United States has continued to uphold this plan in its consultations with transitional authorities regarding their commitment to advancing religious freedom. In June, the United States [appointed](#) a new special envoy, Ambassador Donald E. Booth, to support Sudan closely during the political transition—a step that USCIRF had recommended. During Prime Minister Hamdok’s visit to the United States in December, Secretary of State Michael R. Pompeo [announced](#) that the United States and Sudan would begin the process of exchanging ambassadors. Later that month, the State Department [removed](#) Sudan from its list of CPCs and placed it on the Special Watch List. However, Sudan [remained](#) a U.S.-designated State Sponsor of Terrorism (SST), even as U.S. officials [expressed hope](#) that it would soon meet conditions for removal and continued to engage in negotiations with the transitional government to this end.