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Key Findings

The government of Sudan led by President Omar Hassan al-Bashir continues to engage in systematic, ongoing, and egregious violations of freedom of religion or belief. It imposes a restrictive interpretation of Shari'ah law on Muslims and non-Muslims alike, using amputations and floggings for crimes and acts of "indecent" and "immorality" and arresting Christians for proselytizing. President al-Bashir and other National Congress Party (NCP) leaders have stated that Sudan's new constitution, when drafted, will be based on its interpretation of Shari'ah. Governmental and non-governmental attacks on the Christian community also continue. These religious freedom violations, as well as the violence in Southern Kordofan, Blue Nile, and Darfur, are the result of President Bashir's policies of Islamization and Arabization. In 2014, USCIRF again recommends that Sudan be named as a "country of particular concern" (CPC). The State Department has designated Sudan a CPC since 1999.

Background

For the past 20 years, the ruling National Congress Party (NCP) has based many of the provisions of the 1991 Criminal Code, the 1991 Personal Status Law of Muslims, and state-level "public order" laws on its interpretations of Shari'ah, and has imposed these interpretations on all Sudanese, Muslims, and Christians alike. The 1991 Criminal Code allows death sentences for apostasy, stoning for adultery, cross-amputations for theft, prison sentences for blasphemy, and floggings for undefined "offences of honor, reputation and public morality," including undefined "indecent or immoral acts." State level "public order" laws further implement the 1991 Criminal Code's prohibitions and related punishments for "immorality" and "indecent." These religiously-based morality laws and corporal punishments are imposed through the Public Order Regime and violations carry a maximum penalty of 40 lashes, a fine, or both.

Hundreds of Muslim and Christian women and girls in Khartoum annually are flogged for indecent dress that violates the Public Order Regime. What constitutes indecent dress is not defined by law, but is left to the discretion of arresting officers and prosecuting judges. Indecency charges relating to dress or the brewing or selling of alcohol are used primarily against poor Southern Sudanese women who comprise the vast majority of the female inmate population in Khartoum. Under the guise of protecting morality and preventing co-mingling, which is deemed

"prostitution," the Public Order laws also have been used to stop co-mingling of unmarried men and women, as well as to target the NCP's political opponents.

Government policies and societal pressure promote conversion to Islam, including alleged government tolerance of the use of government assistance to induce conversion to Islam. The Sudanese government has implemented a number of discriminatory practices favoring Muslims, including prohibitions on foreign church officials traveling outside Khartoum and the use of school textbooks that negatively stereotype non-Muslims. Muslims receive preferential access to government employment and government services, and favored treatment in court cases involving Muslims against non-Muslims. The government routinely grants permits to construct and operate mosques, often with government funds. In contrast, permission to build churches is difficult or impossible to obtain and since 2011, the government has destroyed several churches.

Conversion from Islam is a crime punishable by death, suspected converts to Christianity face societal pressures, and government security personnel intimidate and sometimes torture those suspected of conversion.

Religious Freedom Conditions 2013-2014

Application of Shari'ah Law Provisions

The government continued to apply the Shari'ah-based provisions of the 1991 Criminal Code and Public Order laws during the reporting period. Three men were sentenced to death by crucifixion after being found guilty of murder. In February 2014, an Ethiopian teen who was gang raped by three Sudanese men was convicted of "indecent acts," given a one month suspended jail term, and fined \$900. The three men who raped the teen were each given 100 lashes for adultery and a man who posted a video online of the rape was sentenced to 40 lashes. As in previous years, several amputation sentences for those found guilty of theft were reported. Hundreds of women were flogged or fined for "indecent" dress. Amira Osman Hamed continues her court fight against the law after she was arrested on August 27 for not covering her head.

Harassment of Christians

Government pressure on Christians in Sudan continued during 2013. In this reporting period, the National Intelligence Security Services (NISS) raided the New Life Church in Omdurman Town on March 2; raided the offices of the Sudan Presbyterian Evangelical Church on June 25; confiscated the Khartoum Bahri Evangelical Church on October 5; and bulldozed the Sudanese Church of Christ building also in Omdurman on February 17, 2014. NISS officers also continued to arrest and deport Nuba and South Sudanese Christians.

Recommendations for U.S. Policy

Despite neither the United States nor the Sudanese government having representation at an ambassadorial level in one another's capitals, the United States is an important international actor in Sudan. With the al-Bashir regime taking steps that would move Sudan toward a more repressive state, the State Department, especially the office of the Special Envoy to the Sudan, should increase human rights engagement and advocacy efforts. The normalization of relations with Sudan and any considerations of lifting U.S. sanctions must be preceded by concrete action and demonstrated progress by Khartoum in implementing peace agreements, ending abuses of religious freedom and related human rights, and cooperating with efforts to protect civilians. In addition to recommending that the U.S. government continue to designate Sudan as a CPC, USCIRF recommends that the U.S. government should:

- Require, before normalizing relations or lifting sanctions under IRFA and the International Emergency Economic Powers Act, that the government of Sudan abide by international standards of freedom of religion or belief, including by reforming the 1992 Criminal Code

and repealing the Public Order Regime and laws and practices which discriminate against non-Muslim minorities;

- Urge the government of Sudan to ensure that, when the writing of the country's new constitution starts, the drafting process is transparent and inclusive of nationwide civil society leaders and representatives of all major political parties, to ensure that the future new constitution includes protections for freedom of religion or belief, respect for international human rights commitments, and recognition of Sudan as a multi-religious, multi-ethnic, and multi-cultural nation, and support indigenous efforts to influence the process positively;
- Encourage and support civil society groups to monitor implementation of the Public Order laws and advocate for their repeal; and
- Increase attention to the stalled citizenship negotiations, urge the Joint High Level Committee on Nationals to immediately meet, and provide support to the Committee to ensure that the final laws on the status and treatment of nationals in Sudan and South Sudan reflect commitments to protect against statelessness and fully respect universal human rights, including religious freedom.

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