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# **United Nations Human Rights Council**

## **Universal Periodic Review of the Republic of Sudan**

### **I. Background**

1. Jubilee Campaign, in special consultative status with ECOSOC, submits this analysis of religious freedom and human rights in the Republic of Sudan as a contribution to the Universal Periodic Review of the UNHRC member-state Sudan.
2. Set My People Free is a network of individuals, churches and organizations working for the freedom of converts from Islam to live and practice their new faith, to experience equality and justice in their home countries. We seek to give the Muslim people the freedom to change their faith or no faith, to live out and practice their new belief, and to experience freedom, justice and equality in their homeland as non-Muslims.
3. ERLC is an international, non-governmental organization dedicated to promoting religious liberty and human flourishing around the world. The ERLC is an entity of the Southern Baptist Convention, a denomination representing more than fifteen million members and fifty thousand churches. The ERLC also holds Special Consultative status before the United Nations Economic and Social Council.

### **II. Methodology**

4. This joint submission was prepared through the collection of information from reports by and discussions with Sudanese stakeholders on the ground and Sudanese diaspora, following the developments in Sudan, coupled with news articles and data from NGOs.
5. It should be noted that the information and recommendations collected herein are in light of the situation in Sudan as reported in March 2021.

### **III. Acceptance of international treaty obligations**

6. Sudan has ratified the International Covenant on Civil and Political Rights, the Convention on the Rights of the Child, the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict, and the Convention on the Rights of Persons with Disabilities.
7. In February 2021 Sudan's Sovereign Council and Council of Ministers approved two draft laws to join the International Convention for the Protection of All Persons from Enforced Disappearance (ICPPED) of 2006, and the Convention against Torture and Cruel Punishment (UNCAT) of 1984.

## Recommendations

We urge the Republic of Sudan to:

8. Ratify, in addition to the Convention against Torture and Other Cruel Inhuman or Degrading Treatment or Punishment, the CAT, Art. 22, Individual complaints procedure under the Convention against Torture and;
9. Ratify the CCPR-OP1 – the Optional Protocol to the International Covenant on Civil and Political Rights.

## IV. Freedom of religion or belief

10. Sudan has made several remarkable improvements towards religious freedom. Many of these have taken place in the legal framework of the country and redefine the core basis of key institutions. The repeal of the apostasy law and the separation of religion and state are two such notable changes. The key challenges for Sudan will be to ensure the implementation of these developments in all spheres of life and to fight against the impunity of the past 30 years of discrimination against religious and ethnic minorities. Many Sudanese remain wary of the military council as its influence threatens to usurp chances of lasting and progressive change.

## Major Legal Achievements

1. The new 2019 Interim Constitutional Declaration signed into force on 4 August 2019 contains several provisions regarding freedom of religion or belief. Article 56 mentions explicitly every person's right to, "profess or express their religion or belief through worship, education, practice, performance of rituals, or celebrations, in accordance with the requirements of the law and public order;" and, "No one shall be compelled to convert to a religion they do not believe in or to practice rites or rituals they do not voluntarily accept."<sup>1</sup>
2. Article 66 of the Interim Constitutional Declaration lift the rights of ethnic and minority groups and their right to exercise their belief and develop their culture freely, as well as raising their children in those cultures and customs.
3. On July 13, 2020, Sudan passed a novel amendment, Law No. 12 of 2020, which replaced 15 problematic articles of its former Penal Code of 1991,<sup>2</sup> among them the apostasy law which mandated the death penalty for anyone who leaves the state religion. The apostasy law caused a lot of suffering and was applied as recently as 2014, when the court sentenced Mariam Ishaq Yahia to death for apostasy. Thankfully due to international pressure, Mariam was released, but the law remained. The repeal of the apostasy law in Sudan is

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<sup>1</sup> Sudan's Constitution of 2019

<sup>2</sup> Library of Congress, "Sudan: New Law Amending Penal Code Takes Effect", *Global Legal Monitor*, 23 July 2020.

a momentous step and should be an example for other countries to follow who impose severe restrictions on the fundamental freedom to choose their religion or belief. Sudan has effectively implemented the recommendations of the Special Rapporteur on freedom of religion or belief and the UN Secretary General.<sup>3</sup>

4. The Law No. 12, which abolishes the crime of apostasy, further replaces the related penal code provision with “a newfound provision prohibiting the labeling of any group of individuals as ‘infidels.’ (Law No. 12, art. 2(a)(21), amending Penal Code art. 126).”
5. Law No. 12, art. 2(a)(20) also amends Penal Code art. 125 whereas the new law abolishes the penalty of flogging imposed on individuals for blasphemy. However, the law retains the other penalties imposed by the penal code, including imprisonment for up to six months and a fine.
6. In September 2020, Sudan’s transitional government, notably Prime Minister Abdalla Hamdok, signed a declaration that enforces the separation of religion and state. Quoted from the document: “For Sudan to become a democratic country where the rights of all citizens are enshrined, the constitution should be based on the principle of ‘separation of religion and state.’ in the absence of which the right to self-determination must be respected.”<sup>4</sup>

### Effects of legal reforms

7. In March 2020, the new transitional government in Sudan returned some of the confiscated property back to churches.<sup>5</sup>
8. The Republican *jumhhurriyun*, a sect of Islam, which Sudan banned earlier and had executed its leader Ustaz Muhammed Taha, is able to meet again.
9. Foreign faith-based aid organizations are able to function in the country. In 2009 and 2011 several foreign aid workers and missionaries were expelled from the country<sup>6</sup> In 2020 these organizations were able to function openly in

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<sup>3</sup> UN Human Rights Council, *Report of the Special Rapporteur on freedom of religion or belief*, 5 March 2019, A/HRC/40/58., para. 58.; UN Human Rights Council, Annual report of the United Nations High Commissioner for Human Rights and reports of the Office of the High Commissioner and the Secretary-General, *Capital punishment and the implementation of the safeguards guaranteeing protection of the rights of those facing the death penalty*, A/HRC/42/28 (28 August 2019), available from undocs.org/en/A/HRC/42/28, para. 46.

<sup>4</sup> Mohammed Alamin, “Sudan Ends 30 Years of Islamic Law by Separating Religion, State”, *Bloomberg*, 4 September 2020. <https://www.bloomberg.com/news/articles/2020-09-04/sudan-ends-30-years-of-islamic-law-by-separating-religion-state>.

<sup>5</sup> “Sudanese Government Return Confiscated Truck to Church, After 8 Years.” *Persecution*, 30 Mar. 2020, [www.persecution.org/2020/03/30/sudanese-government-return-confiscated-truck-church-8-years/](http://www.persecution.org/2020/03/30/sudanese-government-return-confiscated-truck-church-8-years/). ; “Sudanese Government Ordered to Return Church Property.” *Mission Network News*, 1 Oct. 2018, [www.mnnonline.org/news/sudanese-government-ordered-to-return-church-property/](http://www.mnnonline.org/news/sudanese-government-ordered-to-return-church-property/).

<sup>6</sup> “Sudan’s President Orders All Foreign Aid Groups to Leave Country within a Year.” *The Guardian*, Guardian News and Media, 16 Mar. 2009, [www.theguardian.com/world/2009/mar/16/sudan-aid-agencies-expelled](http://www.theguardian.com/world/2009/mar/16/sudan-aid-agencies-expelled). ; “Khartoum Expels Foreign Aid Agencies from Eastern Sudan.” *BBC News*, BBC, 1 June 2012, [www.bbc.com/news/world-africa-18296430](http://www.bbc.com/news/world-africa-18296430).

the country again.<sup>7</sup>

10. The first International Religious Freedom Roundtable was held in Sudan with members of the different religious communities present.<sup>8</sup>
11. In December 2019, the transitional government of Sudan declared December 25 as the national holiday of Christmas for the nation's Christian demographic.<sup>9</sup>

### Existing Issues

12. Muslim radicals continue to attack and target Sudanese churches and houses of religious worship:
  - a. On 28 December 2019, a group of unidentified individuals set fire to three churches in Bout town, Blue Nile State; the attacked churches include Sudan Interior Church, Catholic Church, and Orthodox Church. Following the arson, the churches were restored, but they were once again set ablaze on January 16, 2020<sup>10</sup>
  - b. The Sudanese Church of Christ, located in Jabarona, Khartoum State, was attacked four times: on 18 December 2019, 14 January 2020, 21 January, and 29 January. After numerous attempts by bandits to burn the church to the ground, church leaders emptied the building of its furniture to decrease flammability and ensured that the building was empty during the night. Around the same time, church leaders were told by local Muslim extremists that “if the government gives you permission to build a church here they better be prepared to collect your dead bodies.”<sup>11</sup>
  - c. On 29 February 2020, the Sudanese Church of Christ was set on fire in Omdurman city, Khartoum state by unknown bandits.<sup>12</sup>
  - d. On 9 March 2020, a group of militants set fire to the Presbyterian Evangelical Church in Bout, Blue Nile state. The entire building, along

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<sup>7</sup> “Samaritan's Purse Joins Fight Against COVID-19 in Sudan.” *Samaritan's Purse*, [www.samaritanspurse.org/article/samaritans-purse-joins-fight-against-covid-19-in-sudan/](http://www.samaritanspurse.org/article/samaritans-purse-joins-fight-against-covid-19-in-sudan/).

<sup>8</sup> “Declaration for Freedom of Religion Signed in Sudan.” *Radio Dabanga*, Oct. 2020, [www.dabangasudan.org/en/all-news/article/declaration-for-freedom-of-religion-signed-in-sudan/](http://www.dabangasudan.org/en/all-news/article/declaration-for-freedom-of-religion-signed-in-sudan/); “Sudanese Christian and Muslim Leaders Agree on Declaration Promoting Religious Freedom.” *Sudanese Christian and Muslim Leaders Agree on Declaration Promoting Religious Freedom | Barnabas Fund*, 3 Nov. 2020, [barnabasfund.org/news/sudanese-christian-and-muslim-leaders-agree-on-declaration-promoting-rel/](http://barnabasfund.org/news/sudanese-christian-and-muslim-leaders-agree-on-declaration-promoting-rel/).

<sup>9</sup> Michael Atit, “Sudan Declares Christmas Public Holiday”, *Voa*, 24 December 2019. <https://www.voanews.com/africa/sudan-declares-christmas-public-holiday>.

<sup>10</sup> World Watch Monitor, “Sudan: Three churches burned down twice within one month”, 3 February 2020. <https://www.worldwatchmonitor.org/coe/sudan-three-churches-burned-down-twice-within-one-month/>.

<sup>11</sup> Christian Solidarity Worldwide, “CSW urges government action in case of Khartoum church attacked four times by extremists”, 18 March 2020. <https://www.csw.org.uk/2020/03/18/press/4585/article.htm>.

<sup>12</sup> Dabanga Sudan, “Two churches torched in Sudan”, 18 March 2020. <https://www.dabangasudan.org/en/all-news/article/two-churches-torched-in-sudan>.

with the furniture and religious texts inside, was completely decimated.

13. Radical Muslim citizens have harassed and committed violent actions against Sudanese Christians:

- a. On 6 June 2020, mosque leaders in Khartoum encouraged their congregation to eliminate all South Sudanese Christians from their “Muslim area.” In the following days, attacks against such individuals were undertaken by radical Muslims. 18-year-old Christian, Ariere Sathor, was left in critical condition, and 10 South Sudanese Roman Catholics sustained minor injuries.<sup>13</sup>
- b. On 20 June 2020, in Omdurman, a group of radical Muslim men stabbed and killed a South Sudanese Christian man and attacked four other South Sudanese Christian women, one of whom sustained serious injuries. The deceased Christian man was 35-year-old Mariel Bang, who was survived by his wife and four young children. During the attack, the radical Muslim perpetrators shouted “Allah Akbar.”<sup>14</sup>
- c. On 9 October 2020, 17-year-old pastor’s son and member of the Khartoum National Presbyterian Church, Levi Hakim, was ambushed and physically assaulted by a group of Muslim radical men who claimed they were enraged over the “presence of Christians in the area.” After he was out of his home for a long period of time, Hakim’s 16-year-old cousin Jal John Paul went to find him, only to be assaulted by the same group of men. Subsequently, Hakim’s 20-year-old aunt Nyawal Paul was assaulted when she found the boys as well. The family attempted to file a report to the police, but “one of the men cautioned me to drop the case, or else they will deal with us.”<sup>15</sup>

14. Certain Sudanese authorities and actors with suspected ties to the national security personnel have harassed and persecuted Christians according to earlier practice:

- a. On 27 January 2020, Sudanese Christian businessman Ashraf Samir Mousad Obid was arrested at Khartoum Airport immediately following his return to the nation after he spent five years in exile. In 2015, Obid escaped Sudan after facing harassment and persecution after he sold some land to a Baptist church one year prior. Following his arrest this January, Obid was subsequently released but was told he

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<sup>13</sup> Morning Star News, “Christians Attacked in Sudan after Incitement by Mosque Leaders in Khartoum”, 24 June 2020. <https://morningstarnews.org/2020/06/christians-attacked-in-sudan-after-incitement-by-mosque-leaders-in-khartoum/>.

<sup>14</sup> *ibid.*

<sup>15</sup> Morning Star News, “Three Young Christians Assaulted in Khartoum North, Sudan”, 9 October 2020. <https://morningstarnews.org/2020/10/three-young-christians-assaulted-in-khartoum-north-sudan/>.

was prohibited from leaving the country again.<sup>16</sup>

- b. In February 2021, Christian leaders reported how masked men, believed to be national security personnel, seized, handcuffed and blindfolded Osama Saeed Kodi, chairman of the Christian Youth Union of Al Jazirah state. They then beat him brutally on his chest and right leg and threatened to kill him if he continued voicing objections to the burning of a Sudanese Church of Christ (SCOC) worship hall in Tambul; they released him only after a few hours.

15. Risk of discrimination as a result of new legislation separately regulating non-Muslim worship and Muslim worship

- a. On the 24<sup>th</sup> February 2021 the Minister of Religious Affairs released a document that regulates the right to worship concerning Christian houses of worship. The law is quite detailed outlining the process of registering a church, the training of leaders, and the exercise of missionary activities.
- b. We welcome that church ownership is not limited exclusively to Members of the Sudan Council of Churches, and that missionary activities are allowed.
- c. We welcome the Office of Religious Affairs' permission of the right to travel for foreign and domestic religious workers.
- d. We are concerned, however, by the legal disparity in regulation of Christian worship and Muslim worship, as well as fears raised by the Sudanese Council of Churches on the government's involvement in internal decisions of the church, especially Art. 11 managing the certification of lands for churches. The article requires, for the certification of a church, confirmation "that there are Christians in the concerned area through the application attached to the housing certificate from the neighborhood committee"; however, there is neither a clear indication whether there is a minimum numeric quota, nor whether refugee populations will have the right to access places of worship. With consideration of attacks by Muslims radicals targeting Christians for their presence in allegedly "Muslim areas," regulations that place a minimum numeric pre-requisite on the right to establish a church is problematic.

16. Personal status laws and family laws need to be reformed and aligned according to Article 56 of the Interim Constitutional Declaration, the recent decriminalization of apostasy, and international law. For example, ensure the non-discrimination of women born of a Muslim father to choose their religion or belief, by not automatically registering them as Muslims and subjecting

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<sup>16</sup> Christian Solidarity Worldwide, "Christian businessman detained at airport upon return from exile", 28 January 2020. <https://www.csw.org.uk/2020/01/28/press/4541/article.htm>.

them to Islamic laws in regards to divorce rights and custody of children.

### **Recommendation(s)**

We urge the Republic of Sudan to:

17. Eliminate provisions criminalising blasphemy to ensure conformity with international obligations related to freedom of religion or belief;
18. Ensure that domestic family and custody laws do not discriminate against non-Muslim religious minorities, including Christians;
19. Combat impunity by ensuring swift and effective investigations into reports of abuse of power by police and security forces;
20. Ensure that all allegations of human rights violations at the hands of armed forces, police, and National Intelligence and Security Service, including the Rapid Response Force, are investigated and prosecuted according to the law (A/HRC/33/8 - Para. 141);
21. Continue to ensure the right to freedom of assembly and the right to protest;
22. Ensure that State police forces make just and proportional use of force in all circumstances, including where necessary in response to protest activity;
23. Develop a code of conduct, or similar type of document, solidifying the respect for human rights within the armed forces and the police;
24. Provide police and armed forces with training on their human rights obligations, with special emphasis on freedom of conscience and the equality of women and minorities, by the next reporting period;
25. Ensure the removal of security officials who do not uphold human rights norms of freedom of expression and religion – including the rights of minorities – by the next reporting period;<sup>17</sup>
26. Eliminate all obstacles that make it difficult for Sudanese Christians and other non-Muslim religious minorities to educate children according to their religious and/or spiritual convictions;
27. Prosecute all perpetrators of harassment and violence against religious minorities;
28. Continue to engage with civil society and work with UN Special Procedures and members states to work on legal capacity-building and reform;

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<sup>17</sup> Morning Star News, “Christian Leader in Sudan Detained and Beaten, Sources Say,” February 22, 2021.



29. Strengthen legal protection for Christians by ensuring the judicial return of property confiscated by the former Bashir government, by the next reporting period. Where the return of property cannot be secured, the government must ensure that individuals and churches are compensated accordingly;
30. Continue to work to promote a culture of religious plurality and tolerance, and similarly work to eliminate all remnants of religious enmity, to ensure the legal reforms are practically effective;
31. Ensure regulations and rights regarding places of worship do not place undue burden or registration requirements on churches and other previously-persecuted and discriminated-against religious groups;
32. Continue enhancing cooperation with international human rights mechanisms by extending a standing invitation to all Special Procedure mandate holders and by engaging specifically with the UN Special Rapporteur on freedom of religion or belief and the Special Rapporteur on minority issues, to review new proposed legislation regarding the rights to worship and of association.

We urge the Human Rights Council to:

33. Engage actively with Sudan regarding follow-up steps, providing support in legal capacity and legal reform, and ensuring the non-discrimination of earlier marginalized religious and ethnic groups.

We urge the Human Rights Council member states and observing states to:

34. Ensure that nonhumanitarian aid is conditional on Sudan making meaningful reforms that (1) ensure the rights of minorities and women, (2) promote freedom of conscience and religion (3) and advance freedom of expression; during the next reporting period;
35. Encourage Sudan in its continuous steps towards improvement and ensuring the effective implementation of legal reform during the next reporting period;
36. Engage actively in promoting civil society voices working to bring Sudan's legal reforms in the field of religious freedom and freedom of expression in line with international human rights norms.

### **Advanced Questions**

37. What steps are being taken to hold security police accountable when they abuse their power and act outside their mandate, persecuting individuals for their legitimate exercise of the freedom of assembly and speech? What steps can the international community take to support Sudan in these efforts?

38. What progress has been made, and what support does the transitional government need, to ensure the judicious and effective return of confiscated property to affected churches and individuals?
39. Could the Sudanese government clarify why a separate legislation has been drafted to regulate Christian houses of worship, and do these regulations and requirements correspond with those regulating Muslim houses of worship and their right of association?
40. How will the Sudanese government ensure a harmonious environment for the opening of non-Muslims places of worship? How will the Sudanese government ensure that the registration requirements – included in the document to regulate Christian religious places of worship – do not hinder the right to build places of worship?
41. Could the Sudanese government explain why no permission has been granted for the building of churches since the revolution?
42. In what way – if any – does having a separate legislation for regulating non-Muslim houses of worship correspond with the Sudanese constitution, which explicitly calls for a secular society with rights and citizenship not being based on religious affiliation?
43. Why is there a requirement of proof of local Christian residency in order to build a church? Is the same requirement of evidence of residency required for Muslim houses of worship?
44. Could the Sudanese government provide an explanation as to the removal of the Minister of Education who belonged to the *jumhhurriyun* party?
45. Could the Sudanese government provide an explanation regarding why no Christian is represented in the Committee for Religious Affairs? How will the transitional government ensure the visibility and effective participation of Christians in the Committee in light of such an exclusion?

## V. Women's Rights

### Achievements

46. Law No. 12 “introduces an amendment to the penal code that criminalizes the act of female genital mutilation (FGM) for the first time in the country’s history. The law punishes FGM with imprisonment for up to three years, a fine, and the permanent closure of the site where the crime took place. (Law No. 12, art. 2(a)(23), adding Penal Code art. 141 (a).)”<sup>18</sup>

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<sup>18</sup> Library of Congress, “Sudan: New Law Amending Penal Code Takes Effect”, *Global Legal Monitor*, 23 July 2020.

47. “Law No. 12 also increases the penalty for the crime of rape from imprisonment for a maximum of 10 years to life imprisonment. (Law No. 12, art. 2(a)(25), amending Penal Code art. 149).”
48. In November 2019, Sudan’s transitional government repealed the nation’s 1992 Public Order Act which posed criminal punishment for women and girls who engaged in “indecent or immoral behavior or dress.” Such acts which were criminalized included wearing trousers rather than dresses, refraining from wearing head-coverings, or interacting with men, all of which were punishable by flogging and/or whipping.<sup>19</sup>
49. In July 2020, Sudan’s transitional government amended the Personal Status Law of 1991 to allow women the right to travel abroad without their husband’s permission or accompaniment and promised to review other discriminatory aspects of the law. As of 24 March 2021, no final proposal has been released.<sup>20</sup>

### **Existing Issues**

50. Approximately 12.4% of all Sudanese girls are forced into child marriages when they are below the age of 15 years.<sup>21</sup>
51. Domestic violence against women in Sudan remains a serious issue, and it has observably increased during the COVID-19 pandemic. In the month of May 2020 alone, the gender department at the Social Welfare Ministry received 42 reports of gender-based violence, most of which were classified as cases of domestic violence. Many of such incidences occur within the context of early/child marriages.<sup>22</sup>
52. Women’s equal representation in the new Sudanese transitional government has not yet been fully achieved despite that women were the driving force of the revolution.<sup>23</sup> The Sovereign Council, a major executive body, includes 11 members total, of which only two are women. As women were the backbone of the revolution, it is important that they are represented more equitably in government roles, as it would also aid further promotion of women’s rights and equality.<sup>24</sup>

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<sup>19</sup> The New York Times, “Sudan Overturns Moral Policing Law and Disbands Al-Bashir’s Party”, 29 November 2019.

Nita Bhalla, “‘The revolution isn’t over’ say Sudan’s frontline female protesters”, *Reuters*, 19 September 2019.

<sup>20</sup> Naba Mohiedeen, “Sudanese Women Welcome Freedom to Travel Abroad with Children”, *VOA News*, 14 July 2020.

<sup>21</sup> Emmanuel Akinwotu, “Sudan says it will stamp out child marriage and enforce ban on FGM”, *The Guardian*, 27 November 2020.; Leah Benque, “Children in Sudan: Inequality, poverty, and disease”, *Humanium*, 24 September 2019.

<sup>22</sup> Michael Atit, “Reports of Gender-Based Violence Increase in Sudan During COVID Lockdown”, *VOA News*, 26 May 2020.

<sup>23</sup> “Sudan Celebrates International Women’s Day.” *Radio Dabanga*, 9 Mar. 2021, [www.dabangasudan.org/en/all-news/article/sudan-celebrates-international-women-s-day-1](http://www.dabangasudan.org/en/all-news/article/sudan-celebrates-international-women-s-day-1).

<sup>24</sup> Sydney Young, “The Women’s Revolution: Female Activism in Sudan”, *Harvard International Review*, 25 May 2020., <https://hir.harvard.edu/the-womens-revolution-female-activism-in-sudan/>.

53. Sudan is the leading nation in out-of-school children in the Middle East and North Africa Region, with estimates of the amount of children not attending school ranging from three million individuals (or 76% of all children at primary school age) to as many as half of the nation's children. Only 28% of Sudan's adolescents attend secondary school.<sup>25</sup>

### **Recommendations**

We urge the Sudanese Transitional government to:

54. Continue efforts to ensure the eradication of child marriage;
55. Ensure the recently-passed FGM law is implemented by the next reporting period;
56. Work actively to ensure women's representation in decision-making bodies in Sudan;
57. Ratify the Convention on the Elimination of All Forms of Discrimination against Women;
58. Ensure that the final proposed New Personal Status Laws adhere to international norms and legislations.

We urge the Human Rights Council and observing states to:

59. Support the Minister of Justice in his work within the committee to reform the Personal Status Laws in line with international human rights norms;
60. Continue to encourage and support Sudan in meaningful reforms that empower women and ensure the non-discrimination of minority women.

## **VI. Refugees**

61. In January 2021 the United Nations High Commissioner for Refugees reported that 56,000 people have fled into Sudan from Ethiopia to escape the growing Tigray Conflict.<sup>26</sup> This could become a source of increasing tension

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<sup>25</sup> United Nations Children Fund [UNICEF], Sudan: Education. <https://www.unicef.org/sudan/education#:~:text=Sudan%20has%20one%20of%20the,figure%20dips%20to%2028%20percent.>; Humanium, "Children of Sudan: Realizing Children's Rights in Sudan". <https://www.humanium.org/en/sudan/>.

<sup>26</sup> UNHCR relocates victims of Ethiopia's Tigray conflict to new site in Sudan || UN NEWS. (n.d.). Retrieved February 22, 2021, from <https://news.un.org/en/story/2021/01/1081422>.

between these two neighbours. As of March 2021, the country already hosts 800,000 refugees from South Sudan who are seeking shelter from the strife in that country. Additionally, there are an estimated 26,930 refugees and asylum seekers from the Central African Republic as reported at the end of 2020,<sup>27</sup> and tensions are high along these borders. In addition, there is a large number of internally displaced persons (IDPs) from the conflict in the Blue Nile State, South Kordofan State, and Darfur. The UN Office for the Coordination of Humanitarian Affairs, in a recent report, estimated that it will cost \$1.9 Billion USD to assist all refugees within Sudan.<sup>28</sup>

### **Recommendations**

**We urge** the Sudanese Transitional government to:

62. Pay special attention to women from marginal groups who have been affected by armed conflict and displacement;
63. Actively counter any armed conflict and instead pursue all diplomatic means to resolve the conflict at the border with Ethiopia.

Jubilee Campaign urges the international community to:

64. Provide humanitarian assistance to Sudan to be able to address the increased number of refugees fleeing into Sudan as a result of the violence in Tigray.

## **VII. Justice, Accountability and Rule of Law**

65. During the week of February 14th, a Memorandum of Understanding was signed between Sudan and the International Criminal Court (ICC) regarding the investigation into events in Darfur. Senior Janjaweed commander Ali Kushayb will be facing trial in The Hague.<sup>29</sup> It is not yet clear whether Kushayb's case is the only one that will be transferred to the ICC. Jubilee Campaign will continue to monitor the situation as well.<sup>30</sup>

### **Recommendations**

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<sup>27</sup> Sudan: Central African REPUBLIC refugees in Sudan (as of 31 December 2020) - Sudan. (n.d.). Retrieved February 22, 2021, from <https://reliefweb.int/report/sudan/sudan-central-african-republic-refugees-sudan-31-december-2020>.

<sup>28</sup> OCHA report, IDPs in Ag Geneina, West Darfur live in overcrowded gathering sites, Retrieved February 22, 2021, from <https://reports.unocha.org/en/country/sudan/card/4IBLU2Iu6r/>.

<sup>29</sup> Madhur Bhatt | Hidayatullah National Law U. (2021, February 18). Sudan signs ICC cooperation agreement for Darfur trial. Retrieved February 22, 2021, from <https://www.jurist.org/news/2021/02/sudan-signs-icc-cooperation-agreement-for-darfur-trial/>.

<sup>30</sup> Madhur Bhatt | Hidayatullah National Law U. (2021, February 18). Sudan signs ICC cooperation agreement for Darfur trial. Retrieved February 22, 2021, from <https://www.jurist.org/news/2021/02/sudan-signs-icc-cooperation-agreement-for-darfur-trial/>.

We urge the Sudanese Transitional government to:

66. Ensure the rights of the victims of the armed conflict to truth, justice, and reparation during the next reporting period;
67. Fully cooperate with the International Criminal Court and protect witnesses.

## **VIII. Summary of Recommendations**

68. Ensure that domestic family and custody laws do not discriminate against non-Muslim religious minorities, including Christians;
69. Continue enhancing cooperation with international human rights mechanisms by extending a standing invitation to all Special Procedure mandate holders and by engaging specifically with the UN Special Rapporteur on freedom of religion or belief and the Special Rapporteur on minority issues, to review new proposed legislation regarding the rights to worship and of association;
70. Ensure that all allegations of human rights violations at the hands of armed forces, police, and National Intelligence and Security Service, including the Rapid Response Force, are investigated and prosecuted according to the law (A/HRC/33/8 - Para. 141);
71. Strengthen legal protection for Christians by ensuring the judicial return of property confiscated by the former Bashir government, by the next reporting period. Where the return of property cannot be secured, the government must ensure that individuals and churches are compensated accordingly;
72. Eliminate provisions criminalising blasphemy to ensure conformity with international obligations related to freedom of religion or belief;
73. Work actively to ensure women's representation in decision-making bodies in Sudan during the next reporting period, noting that women were the driving force of the revolution;
74. Incorporate the Convention on the Elimination of All Forms of Discrimination against Women into national legislation and abolish all discriminatory provisions, in particular with respect to the Personal Status Code regarding right to choose religion or belief, family relations, and child marriage;
75. Strengthen efforts to secure civil society participation in the decision-making bodies of the councils, including religious minority and ethnic groups.