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## **SUDAN | Death Penalty Abolished for Apostasy**

The Sovereignty Council of Sudan officially abolished the death penalty for apostasy on July 10 after the Chairman of the Council, Lt Gen Abdelfattah El Burhan, signed several new laws and amendments.

The cancellation of Article 126 of Sudan's 1991 Criminal Code, which stipulated that those found guilty of apostasy are to be sentenced to death, was announced in a press statement by the Ministry of Justice. The article has historically been used to target religious minorities and restrict freedom of expression. In May 2014, Meriam Ibrahim was sentenced to death by hanging for apostasy by the Public Order Court in El Haj Yousif, Khartoum. A court of appeal overturned the original ruling in June 2014.

Other amendments included the ending of public flogging, the banning of female genital mutilation (FGM), new laws allowing non-Muslims to drink, import, and sell alcohol, and giving women the right to travel abroad with their children without producing proof of permission from their husbands. Amendments to Sudan's Penal Code and the Anti-Cyber Crime Act of 2020 were also signed.

Sudan's Criminal Code contains several other provisions which limit personal freedoms and criminalize blasphemy. There was no indication that these provisions had been amended.

In a televised interview aired on July 11, Sudan's Justice Minister Nasredeem Abdulbari said the government had "cancelled article 126 of the Sudanese penal code to ensure religious freedom and the equality in citizenship and rule of law." Instead, the new law contains an article banning Takfir - declaring a fellow Muslim an apostate - which he described as "a threat to the security and safety of society." The Minister also revealed he had presented the government with accountability options regarding violations committed by members of the ousted regime, including former president Omar al Bashir.

Following the announcement of the amendments to the penal code, Islamist clerics took to social media platforms, calling for the army and other militarized units to “defend the law of God” by overthrowing the government; describing the entire cabinet as “anti-Islam secularists and communists,” and calling for demonstrations on July 17.

In a further sign of change, Sudanese Prime Minister Abdallah Hamdok appointed 13 civilian state governors, and consultations are underway to choose governors for the five remaining states. The military governors of North and South Darfur and the Red Sea states had resigned in response to calls for civilian governors during nationwide demonstrations on June 30.

During a virtual Human Rights Council (HRC) side event on July 13 entitled “Sudan at a Crossroads,” several speakers welcomed the new reforms, but emphasized the continuing need for the creation of a legislature to debate new legislation, and particularly, to examine laws pertaining to the justice sector.

CSW’s Chief Executive Mervyn Thomas said, “CSW welcomes these changes, which mark an important step forward in the process of reform and democratization. However, there is still a long way to go. While applauding these important initial steps, we also encourage the government of Sudan to continue advancing this process, including by creating a legislative body, and the necessary institutions for expediting justice for victims of human violations.”

As Sudan emerges slowly from a lengthy dictatorship and several conflicts, the situation of human rights remains precarious. Violations continue to occur in the conflict-affected regions in particular. On July 12, at least nine people were killed and 17 were injured in North Darfur during an attack on internally displaced persons (IDPs), who were holding a sit-in to request greater security around the Kutum locality. Eyewitnesses state that militiamen descended on Fata Borno IDP camp on motorcycles, camels and horses, and opened fire on the sit-in area with light and heavy weaponry. Policemen who attempted to stop them were forced to retreat under heavy fire, and the militia proceeded to set fire to vehicles, and to loot homes and the local market prior to withdrawing. On July 13, the governor of North Darfur Maj Gen Malik El Tayeb declared a 14-day state of emergency throughout the state, and more troops were drafted to Kutum, Al-Serif and Kabkabiya.

Thomas added, “We extend our deepest condolences to the family and friends of all who lost their lives during this appalling incident, which underlines the need for effective security in Darfur, with a clear protection mandate. It also underlines the continuing necessity for the international community to maintain a close watch on Sudan as the country progresses towards civilian rule. We call once more on the UN Human Rights

Council to closely monitor the human rights situation in Sudan, particularly since the reform process is likely to experience severe challenges, and to offer all necessary technical support to expedite the creation of strong democratic institutions and strengthen the rule of law. We also reiterate our call for members of the international community who have pledged to assist Sudan economically to also prioritize financial assistance for the reform process in order to ensure sustainable development.”