

EU-Sudan Relations: Engagement or Sanctions?

A human rights perspective

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HRWF (10.07.2017) - By 12 July, President Trump must decide whether to lift decades-old US sanctions on Sudan or not. Washington's assessment of Khartoum's progress, or lack of it, is to be measured along five criteria: cooperation on counter-terrorism; addressing the Lord's Resistance Army threat; ending hostilities in Darfur and Kordofan; improving humanitarian access; and stopping interference in South Sudan. Human rights, including religious freedom, are not on the list of US priority yardsticks. This is a grave mistake, as we see repressive measures hitting Christians and wide-spread practices of cruel, inhumane and degrading treatments.

The death penalty is imposed in cases of apostasy and acts that 'encourage' apostasy against Islam. In January 2015 the government amended the criminal code to widen the legal definition of apostasy. In addition to those converting from Islam to another religion, any Muslim who questions the Quran, the Companions of the Prophet or his wives may also be found guilty of apostasy and sentenced to death.

Under the death penalty, stoning remains a judicial punishment. Between 2009 and 2012, several women were sentenced to death by stoning.

Other inhumane forms of judicial punishment are often used, such as flogging and whipping.

The criminal code stipulates forty lashes for a Muslim who drinks, possesses, or sells alcohol. If a Christian is arrested for these reasons, he/she may be sentenced to prison or fined.

Sudan's public order law allows police officers to publicly whip women who are accused of public indecency. In 2015, there were multiple reports of individuals being arrested for 'indecent dress,' including twelve Christian female students wearing trousers; one of which was sentenced to twenty lashes.

According to a report of the US Department of State on religious freedom in the world, many people were sentenced to 40-100 lashes between 2009 and 2014. In August 2014, several Sudanese men died in police custody after being flogged.

Blasphemy, or alleged blasphemy, is punishable with up to six months in prison, flogging of up to forty lashes, and/or a fine.

Those charged with apostasy are allowed to repent within a period decided by the court but even if they do repent and hereby avoid the death penalty, they may still face up to five years in prison.

It is therefore not surprising that since 1999, Sudan has been designated by the United States as a "Country of Particular Concern" (CPC).

When the EU Special Envoy for the promotion of freedom of religion, Jan Figel, visited Sudan this year, he voiced his concerns about the plight of Christians. He highlighted that last year the government designated twenty-five churches for destruction. Despite Figel's efforts, the demolitions go on unabated.

Christian leaders of various denominations agree that the destruction of their churches pursues the goal to eradicate Christianity in Sudan.

They also agree that the arrests of several pastors and Christians on spurious charges are part of that objective. One of them, Petr Jasek, a Czech Christian humanitarian aid worker, was sentenced to twenty years in prison for allegedly supporting rebel movements in South Kordofan, conspiring against the state and espionage. After spending fifteen months in prison, he was pardoned by the president upon the request of the Czech government and the international community. He testified at a conference on Wednesday 28 June at the European Parliament by Czech MEP Tomas Zdechovsky and *Human Rights Without Frontiers*.

So, what should the EU do with Sudan - sanctions or engagement?

The US economic sanctions have proved to be ineffective in isolating Sudan as they have hurt the Sudanese people more than the ruling elites.

In 2017, the EU devoted €250 million to humanitarian aid, development assistance, and other projects including religious tolerance and interfaith dialogue initiatives. However, the problem does not lie in the relations between the Muslim majority and non-Muslim minorities, but within the repressive nature of the regime towards religious minorities.

Last year, HR/VP Mogherini told the Foreign Minister of Sudan that an additional €100 million was set aside to address root causes of irregular migration and displacement by improving the living conditions of vulnerable groups.

Despite the EU's investments in Sudan, no progress in the legislation concerning human rights has been registered and there is no sign that the criminal code will be brought in line with international standards.

In the recommendations of its 2016 report, the EP Intergroup on FORB advocated for a process of conditional engagement with Sudan, saying that "EU aid should only be provided on the basis of cooperation with international human rights law, protection of FORB or non-belief minority groups."

Unfortunately it seems that there is no other meaningful option besides EU conditional engagement with Sudan; which is easier said than done.