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Situation of two Christian pastors in Sudan


The European Parliament,

– having regard to its previous resolutions on Sudan,
– having regard to the human rights experts’ report of 19 May 2014 issued under the Special Procedures of the UN Human Rights Council,
– having regard to the International Covenant on Civil and Political Rights,
– having regard to the Universal Declaration of Human Rights of 1948 and to the UN Declaration on the Elimination of All Forms of Intolerance and of Discrimination Based on Religion or Belief,
– having regard to the African Charter on Human and Peoples’ Rights,
– having regard to the Cotonou Agreement of 2000,
– having regard to the EU Guidelines on Freedom of Religion and Belief of 2013,
– having regard to Sudan’s national human rights plan adopted in 2013, based on the principles of universality and equality of all people,
– having regard to the resolutions of the UN General Assembly, notably to resolutions 62/149 of 18 December 2007, 63/168 of 18 December 2008, 65/206 of 21 December 2010, 67/176 of 20 December 2012 and 3/69 of 18 December 2014 on the issue of a moratorium on the application of the death penalty, in which it called on those countries where capital punishment still exists to institute a moratorium on executions with a view to its abolition,
– having regard to Rules 135(5) and 123(4) of its Rules of Procedure,

A. whereas Pastor Michael Yat of the South Sudan Presbyterian Evangelical Church was taken into custody by the Sudanese National Intelligence Service (NISS) after preaching at the Khartoum North Church, a branch of the Sudan Presbyterian Evangelical Church, during a visit to Sudan on 21 December 2014; whereas he was arrested immediately after
a sermon in which he reportedly condemned the controversial sale of church land and property and the treatment of Christians in Sudan;

B. whereas Pastor Peter Yen Reith was arrested on 11 January 2015 after delivering a letter to the Sudanese Religious Affairs Office asking after Pastor Michael and wanting to know more about his arrest;

C. whereas both men were held incommunicado until 1 March 2015, and on 4 May 2015 both were charged with multiple offences under the Sudanese Penal Code of 1991, including: joint criminal acts (Article 21), undermining the constitutional system (Article 51), waging war against the state (Article 50), espionage (Article 53), unlawfully obtaining or disclosing official documents (Article 55), agitating hatred (Article 64), disturbing the peace (Article 69) and blasphemy (Article 125);

D. whereas the charges based on Articles 50 and 53 of the Sudanese Penal Code carry the death penalty in the event of a guilty verdict;

E. whereas on 1 July 2015 the Sudanese authorities came to destroy part of the Bahri Evangelical Church complex; whereas the church’s lawyer, Mohamed Mustafa, who is also the lawyer of the two arrested pastors, and Pastor Hafez of the Bahri Evangelical Church complained that the government employee was destroying the wrong part of the compound; whereas they were both arrested for obstructing a public servant in the exercise of his duties; whereas the government official continued to destroy the wrong part of the complex;

F. whereas threats against church leaders, intimidation of Christian communities, and destruction of church property have continued at an accelerated pace in Sudan since the secession of South Sudan in 2011;

G. whereas 12 young Christian girls from the Nuba Mountains were arrested on 25 June 2015 on leaving a Baptist church and were accused of being dressed indecently; whereas two of the girls were released without charge the following day and the other 10 were released on bail;

H. whereas the Christian girls will have to appear before a court, charged under Article 152 of the Sudanese Penal Code, which reads: ‘Whoever does in a public place an indecent act or an act contrary to public morals or wears an obscene outfit or contrary to public morals or causing an annoyance to public feelings shall be punished with flogging which may not exceed forty lashes or with fine or with both’;

I. whereas the African Charter on Human and Peoples’ Rights, which Sudan has ratified, includes the right to life and the prohibition of torture and cruel, inhuman or degrading punishment and treatment, but whereas the death penalty, as well as amputation, flogging and other forms of corporal punishment, are still being carried out in the country for a number of criminal offences;

J. whereas the establishment of a universal moratorium on the death penalty with a view to its total abolition must remain one of the principal objectives of the international community, as reiterated by the UN General Assembly on 18 December 2014;

1. Calls on the Sudanese authorities to drop all charges against Pastor Michael Yat and Pastor Peter Yen Reith and calls for their immediate and unconditional release; meanwhile calls on the Government of Sudan to ensure that pending their release the two pastors are
not subjected to torture or other ill-treatment and that their physical and mental integrity is duly respected;

2. Asks the EU Delegation to Sudan to monitor the court proceedings and provide assistance to the pastors; calls on the EU to exercise leadership in highlighting and condemning the serious and widespread violations of human rights and international humanitarian law in the country;

3. Reminds the Sudanese authorities of their obligations at national and international level to protect freedom of religion and belief; reaffirms that freedom of religion, conscience and belief is a universal human right that needs to be protected everywhere and for everyone; strongly condemns all forms of violence and intimidation that impair the right to have or not to have, or to adopt, a religion of one’s choice, including the use of threats, physical force or penal sanctions to compel believers or non-believers to renounce their religion or to convert;

4. Condemns the arrest of the 12 Christian girls; calls on the Government of Sudan to cease proceedings against the 10 girls who have yet to be cleared of wrongdoing;

5. Calls on the Government of Sudan to repeal all legislation that discriminates on the grounds of religion and to protect the identity of minority groups, including those of all faiths;

6. Condemns the harassment of Christians and interference in church affairs; urges the Government of Sudan to desist from such activity; calls on Sudan to repeal the apostasy laws and to stop closing churches and other religious sites;

7. Calls on the Government of Sudan to reform the country’s legal system, in accordance with international human rights standards, in order to protect fundamental human rights and freedoms and ensure the protection of every individual’s human rights, particularly with regard to discrimination against women, religious minorities and disadvantaged groups;

8. Reiterates its condemnation of the death penalty in all circumstances and the need to introduce a worldwide moratorium with a view to its abolition; calls on the Government of Sudan, accordingly, to abolish the death penalty, as well as the practice of flogging, which is still in force, and to commute existing death sentences;

9. Is gravely concerned about the increase in the repression of members of the opposition, and strongly condemns the decision of the Omdurman court of 6 July 2015 sentencing Mastour Ahmed Mohamed, vice-president of the Congress Party, and two other leading members of that party to 20 lashes, that sentence to be carried out immediately; expresses its support for the efforts being made, notably by the UN, the EU, the African Union and the troika (Norway, the UK and the US), to reach a negotiated solution to the situation in Sudan and support the endeavours of civil society and the opposition parties to promote an inclusive peace process;

10. Instructs its President to forward this resolution to the Council, the Commission, the Vice-President of the Commission/High Representative of the Union for Foreign Affairs and Security Policy, the governments and parliaments of the Member States, the Government of the Republic of Sudan, the African Union, the Secretary-General of the United Nations,
the Co-Presidents of the ACP-EU Joint Parliamentary Assembly and the Pan-African Parliament