

URGENT ACTION

TWO SOUTH SUDAN PASTORS RISK DEATH PENALTY

Reverend Yat Michael and Reverend Peter Yen who had been held incommunicado by the Sudanese National Intelligence Service (NISS) were charged with eight offences under the 1991 Penal Code on 1 March. Two of these offences carry the death penalty.

Reverend Yat Michael and Reverend Peter Yen of the South Sudan Presbyterian Evangelical Church were arrested by the Sudanese National Intelligence Service (NISS) in Khartoum, Sudan on 21 December 2014 and 11 January 2015 respectively. They were charged on 1 March in Khartoum with eight offences under the 1991 Penal Code. They are charged with committing joint acts in execution of criminal conspiracy; undermining the constitutional system; waging war against the state; espionage against the country; disclosure and obtaining information and official documents; promoting hatred amongst or against sects; disturbance of the public peace; and insulting religious creeds. The offences of waging war against the state and of undermining the constitutional system carry the death penalty, while the other six offences carry flogging sentences. It is believed that the two pastors were arrested and charged due to their religious convictions. The two pastors were held incommunicado by the NISS until 2 March, when they were transferred to Kober prison and permitted their first family visits.

Reverend Yat Michael and Reverend Peter Yen went on a hunger strike for two days on 28 and 29 March objecting to their continued detention without trial and to their lack of access to lawyers. They are both now being represented pro-bono by a team of lawyers. They have been to court twice, on 19 May and 31 May. Their next court appearance is on 15 June.

Amnesty International considers Reverend Yat Michael and Reverend Peter Yen as prisoners of conscience, arrested, detained and charged solely because of their peaceful expression of their religious convictions.

Please write immediately in English, Arabic or your own language:

- Calling on the authorities to immediately and unconditionally release Reverend Yat Michael and Reverend Peter Yen and drop all charges against them;
- Urging them to ensure that pending their unconditional release, Reverend Yat Michael and Reverend Peter Yen are not subjected to torture or other ill-treatment;
- Urging them to abolish the punishment of flogging and the death penalty in law and practice.

PLEASE SEND APPEALS BEFORE 21 JULY 2015 TO:

The President
Omar Hassan Ahmad al-Bashir
Office of the President
People's Palace
PO Box 282
Khartoum, Sudan
Salutation: Your Excellency
Minister of Justice

Awad Al Hassan Alnour
Ministry of Justice
PO Box 302
Al Nil Avenue
Khartoum, Sudan
Email: moj@moj.gov.sd
Salutation: Your Excellency

And copies to:

Minister of Interior
Ismat Abdul-Rahman Zain Al-Abdin
Ministry of Interior
PO Box 873
Khartoum, Sudan

Also send copies to diplomatic representatives accredited to your country:

His Excellency Mr Abdullahi Hamad Ali El Azreg, Embassy of the Republic of Sudan, 3 Cleveland Row, St James's, London, SW1A 1DD.
Fax: 020 7839 7560 Tel: 020 7839 8080 Email: www.sudan-embassy.co.uk (Contact form on website)/ info@sudan-embassy.co.uk

Please check with AI UK 020 7033 1500 if sending appeals after the above date. Further information:
<https://www.amnesty.org/en/documents/afr54/0001/2015/en/>

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ADDITIONAL INFORMATION

Reverend Yat Michael, was taken into custody on Sunday, 21 December 2014. He had been preaching that morning, at the Khartoum North Church of the Sudan Presbyterian Evangelical Church (SPEC). During the sermon, he had condemned the sale of the church land and property and raised concerns about the life of Christians in Sudan. After the service, several men who identified themselves as Sudanese government security officers, demanded that Reverend Yat Michael go with them. They took him away without giving any further explanation. The next day, the security forces went to Reverend Yat's home and took some of his clothes and personal belongings. They informed his wife that he was being held in relation to an ongoing investigation but did not reveal any further details about the investigation, whether the reverend was under arrest and what the charges were.

Reverend Peter Yen, another South Sudanese pastor who was visiting Khartoum, was arrested on 11 January after he honoured summons to report to the NISS office. It appears that his arrest and detention is linked to a letter he sent to the Religious Affairs Office in Khartoum inquiring about Reverend Yat's arrest.

The Penal Code of Sudan was introduced in 1991 and is based upon a narrow interpretation of *Shari'a* (Islamic law). It contains legal provisions which amount to a denial of fundamental human rights including limitations on the rights and freedoms of non-Muslims. Sudan's legal system allows and promotes the conversion of the Sudanese people from Christianity and other religions to Islam, but makes proselytizing of Sudanese Muslims a crime punishable by flogging, and conversion from Islam is considered apostasy, and is punishable by death. Suppression of non-Muslim and Muslim minority groups and violations of freedom of religion is wide spread in Sudan. Since 1989, a specific interpretation of Islam was allowed to dominate the country's laws, institutions and policies. As a result, thousands of non-Muslims have been forced to convert to Islam, priests and church leaders persecuted and thousands of Christians punished according to *Shari'a* (Islamic law).

Amnesty International has documented several cases of individuals being persecuted owing to their religious affiliation in Sudan as well as several cases of people sentenced to flogging in Sudan. In August 2013, Meriam Yahya Ibrahim was convicted and sentenced to death on charges of adultery and apostasy. She was detained in prison along with her son and gave birth to her daughter in Omdurman prison while in shackles. She was released on 23 June 2014 when her sentence was reversed by an appeals court and due to international outcry.

Punishment by flogging violates the absolute prohibition against torture and other ill-treatment in international human rights law. Amnesty International considers the death penalty to be the ultimate cruel, inhuman and degrading punishment and a violation of the right to life and opposes its use in all cases and without exception, regardless of the nature of the crime.

Name: Reverend Yat Michael and Reverend Peter Yen Gender m/f: m

Further information on UA: 28/15 Index: AFR 54/1820/2015 Issue Date: 9 June 2015