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Sudan

International Religious Freedom Report 2007

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The 2005 Interim National Constitution (INC) provides for freedom of religion throughout the entire country, and there was some improvement in the status of respect for religious freedom in parts of the country in the period covered by this report. However, regional distinctions in the INC negotiated as part of the Comprehensive Peace Agreement (CPA) have resulted in disparities in the treatment of religious minorities in the North and South. The INC preserves Shari'a as a source of legislation in the North, while the Constitution of Southern Sudan establishes "the traditional laws, religious beliefs, values, and customary practices of the people" as a source of legislation in the South.

Whereas the Government of Southern Sudan (GOSS) generally respected the rights of Christians and Muslims in the 10 states of the South as provided for in its separate 2005 Constitution of Southern Sudan, the Government of National Unity (GNU) continued to place restrictions on Christians in the North. The National Congress Party (NCP) that dominates the GNU embraces Islam as the basis for the country's laws, institutions, and policies.

The ongoing conflict in Darfur between the government-backed Arab Muslim militias (janjaweed) and non-Arab Muslim rebels does not center on religious differences but rather on political, economic, and ethnic issues. The United States declared the situation in Darfur a genocide in September 2004.

In February 2007 the President established the Commission for the Rights of Non-Muslims in the National Capital, a CPA mechanism for protecting religious freedom, by appointing the commission's chairperson. In addition, there were noted improvements in the number of building permits issued for churches.

Dialogue between Christian and Muslim groups continued under the auspices of the Sudan Inter-Religious Council (SIRC), a nongovernmental organization (NGO) supported by the GNU, and the Sudan Council of Churches (SCC), comprising Catholic, Orthodox, and Protestant groups.

The country is in political transition, with national elections scheduled for 2009 and a referendum on independence for the South scheduled for 2011.

The U.S. Government promoted religious freedom and human rights in its discussions with government officials and in its public diplomacy.

Section I. Religious Demography

The country has an area of 967,500 square miles and a population of 41.2 million. Population and demographic data are estimated, and there are no recent census figures. Two-thirds to three-fourths of the population live in the 15 states of the North and are generally from Arabic-speaking Semitic groups. The remaining one-fourth to one-third of the population live in the South and are mostly Nilotic peoples. Large numbers of internally displaced persons (IDPs) fled from the South to the North during the long civil war, many of them Christians or practitioners of traditional religious beliefs. Although several hundred thousand returned to the South after the CPA, many more still live in and around northern cities.

Islam predominates in the North, while traditional indigenous beliefs (animism) and Christianity are prevalent in the South. Some Muslim leaders estimate the Muslim population to be more than 32 million, or above 80 percent of the total population. Almost all Muslims are Sunni, although there are significant distinctions between followers of different Sunni traditions, particularly among Sufi brotherhoods. Two popular brotherhoods, the Ansar and the Khatmia, are associated with the opposition Umma and Democratic Unionist Parties, respectively. There is a small Shi'a community.

Traditionalists are believed to be the second largest religious group in the country, although there are reports that many converted to Christianity or followed a syncretic form of these two religious beliefs.

Christians are generally considered the third largest group. The Roman Catholic Church estimates the number of baptized Catholics at six million, including small Melkite and Maronite communities in the north. Anglicans estimate five million followers in the Episcopal Church of Sudan and the dissident Reformed Episcopal Church. There are very small but long established groups of Orthodox Christians in Khartoum and other northern cities, including Coptic Orthodox and Greek Orthodox Christians. There are also Ethiopian and Eritrean Orthodox communities in Khartoum and eastern Sudan, largely made up of refugees and migrants. Other Christian groups with smaller followings in the country include the Africa Inland Church, the Armenian (Apostolic) Church, the Sudan Church of Christ, the Sudan Interior Church, Jehovah's Witnesses, the Sudan Pentecostal Church, the Sudan Evangelical Presbyterian Church (in the North), the Presbyterian Church of the Sudan (in the South), and the Seventh-day Adventist Church of Sudan.

Foreign missionary groups operate in both North and South, although Christian missionary activity is limited in the North due to Shari'a, strong social pressure against proselytizing, and existing laws against apostasy.

Many Christians in the North are descended from pre-Islamic era communities or are trading families that immigrated from Egypt or the Near East before independence (1956). Many Muslims in the South are shopkeepers or small business owners who sought economic opportunities during the civil war. Political tensions have created not only a sense of ethnic and religious marginalization among the minority religious group in each region but also a feeling among the majority that the minority groups control a disproportionate share of the wealth.

Religious identity plays a role in the country's political divisions. Northern Muslims have dominated the country's political and economic system since independence. The NCP draws much of its support from Islamists, Salafis/Wahhabis, and other conservative Arab Muslims in the North. The Umma Party has traditionally attracted Arab followers of the Ansar Sect of Sufism as well as non-Arab Muslims from Darfur and Kordofan. The Democratic Unionist Party (DUP) includes both Arab and non-Arab Muslims in the North and East, especially those in the Khatmia Sufi brotherhood, as well as some northern Arabic-speaking Christians. Southern Christians generally support the SPLM or one of the smaller southern parties.

Section II. Status of Religious Freedom

Legal/Policy Framework

Religious groups are required by law to register with the government as NGOs, although this requirement did not appear to be enforced. Religious organizations must register as nongovernmental, nonprofit organizations to claim exemption from taxes and import duties; however, some registered Christian groups were required to pay taxes and import duties. Some of the largest Christian religious groups have historically refused to register out of fear of government interference.

The March 2006 Organization of Humanitarian and Voluntary Work Act requires all foreign NGOs, including religious groups, to register with the Government. The act requires government approval before NGOs can begin work on particular projects and places restrictions on the acceptance of foreign money operating in the country. In March 2007 the GNU and the United Nations signed a Joint Communiqué designed to ease restrictions on humanitarian access to Darfur, including access by religious groups providing humanitarian assistance. The GNU has demonstrated varying levels of commitment to the provisions outlined in the Joint Communiqué.

The CPA mandated the creation of the Commission for the Rights of Non-Muslims in the National Capital, a mechanism designed to advise the courts on how to fairly apply Shari'a to non-Muslims. In February 2007 the President appointed the commission's chairperson, who then selected 28 commissioners from the judiciary, the Ministry of Justice, and representatives from Islam, Christianity, and traditional religious groups. The commission met once and had no significant impact on religious freedom during the reporting period.

There are no restrictions on religious groups' ability to acquire property, but all groups are required to obtain permits from the national Ministry of Guidance and Endowments, the state Ministry of Construction and Planning, and the local planning office before constructing new houses of worship. This requirement did not appear to be enforced in the South; enforcement in the North was sporadic. Permits for new mosques in the North are generally issued, although Muslim leaders complained the process was cumbersome and time-consuming. In the past, permits for new churches have been either denied outright or delayed for years. However, the Khartoum State Ministry of Planning and Public Utilities issued permits for three new churches since July 2005, the first permits issued for new churches since 1975. Many Christian leaders remained skeptical that the Government would allow new churches to be built.

National government offices and businesses in the North follow the Islamic workweek, with Friday as a day of prayer. Employers are required by law to give their Christian employees two hours before 10:00 a.m. on Sunday for religious purposes; in practice, many employers did not, and there was no legal remedy. Public schools are in session on Sunday and Christian students are not excused from classes. Most Christians instead worship on Friday, Saturday, or Sunday evenings.

GOSS offices and businesses in the South follow the Monday through Friday workweek, with Sunday as a day of

religious observance. Employers in the South generally do not give their Muslim employees 2 hours on Friday for religious purposes as required under national law practiced in the North. Schools in the South are in session on Friday, and Muslim students are not excused from class.

The Government recognizes Eid al-Adha, Islamic New Year, the Birth of the Prophet Muhammad, Orthodox Easter, Sham El Naseem/Easter Monday, Israa Wal Mi'Raaj, Eid al-Fitr, and Christmas as public holidays throughout the country. In the South, Islamic holy days were generally not observed by government offices.

Foreign missionary groups are required to register with the Government, although Christian leaders charged that foreign Muslim groups are routinely exempt from this regulation.

Under the state-mandated curriculum, all schools in the North—including private schools operated by Christian groups—are required to teach Islamic education classes from preschool through university. All classes must be taught in Arabic, although English may be taught as a foreign language. Some public schools excuse non-Muslims from Islamic education classes, but others do not. Private schools must hire a special teacher for teaching Islamic education, although public schools are not required to provide any religious instruction to non-Muslims. According to the SIRC, the Government does not have an accreditation system in place for Christian school teachers that teach Christian doctrine to non-Muslim children. Whereas their Muslim counterparts are approved by the state, those that instruct students in Christian theology are not required to be state certified, and there appeared to be minimal government concern about the lack of accreditation. At the end of the period covered by this report, there were two Christian schools with license applications pending before the Government.

The educational system in the South still suffered from the effects of the civil war. There were few public schools; most instruction was provided by Christian religious groups, although there were two Islamic colleges. The University of Juba, which relocated to Khartoum during the North-South Civil War, remained in the capital, although a majority of its students came from the South. The SIRC noted that some schools in predominantly Muslim areas of White Nile and Kordofan states are taught with a Christian curriculum.

The GNU has supported interfaith dialogue through the SIRC; however, the SIRC was relatively inactive during the reporting period.

The INC and the Constitution of Southern Sudan both deny recognition to any political party that discriminates on the basis of religion.

Restrictions on Religious Freedom

Obtaining permits to build new houses of worship remained a long and tortuous process, despite past improvements. In addition, the GNU pressured existing churches and Christian facilities in central Khartoum to move to less conspicuous locations on the outskirts of the capital. Some Christians believed this approach to be a less public, less confrontational alternative to the previous government's practice of confiscating church property.

The GNU promoted Islam through mandatory Islamic education for all students in the North, even non-Muslims enrolled in private, Christian schools. Christian leaders believed that these requirements exacerbated problems in the relationship between the Muslim majority and the Christian minority and further marginalized the place of Christianity in northern society. The Catholic Church in particular faced a shortage of priests, which it attributed to a lack of Christian religious education.

In prior reporting periods, the Government restricted conversions from Islam to other religious groups; however, there were no incidents recorded during this reporting period.

The GOSS pursued policies that contributed to the free practice of religion during the period covered by this report, although some Muslims leaders in the South expressed concerns about the Government's treatment of Muslims. Although the government of Upper Nile State in January 2006 banned the use of public loudspeakers at mosques in Malakal and Nasir for announcing the call to prayer, claiming that they disturbed the public, the local government was reviewing a request to reinstate their use.

The Government favored Muslims over Christians in the North. Many southern Christians living in the North suffered from social, educational, and job discrimination, although religion was only one of the many factors leading to discrimination. Muslim religious organizations affiliated with opposition political parties, such as Al-Ansar and its political wing, the Umma National Party, also claimed to suffer discrimination by Islamists in the governing NCP, although it was unclear whether the alleged discrimination was due to religious or political affiliation. In prior reporting periods, some Muslims in the North also complained that the GNU was attempting to curry favor with the West by placing Christian leaders in positions of power within the Government.

Muslims in the South complained of economic discrimination and boycotts by Christians, although such actions did not appear to be supported by the GOSS. For example, the SPLM issued statements against violence towards Muslims in

the aftermath of societal violence directed towards Muslims in Juba following the death of First Vice President John Garang in August 2005. Tensions remained in Juba as many Muslims reported continuing harassment and intimidation.

In the last 2 years the Government issued a total of 3 permits for new churches in suburban Khartoum; church officials considered these 3 permits to be an important development, as permits are not routinely approved. Most existing churches in the capital date from the colonial era, are located near the city center, and cannot accommodate Christians who live in the IDP camps on the outskirts of Khartoum. Even when employers observe the requirement to allow 2 hours of worship time on Sunday mornings, relatively few Christians have the time or means to travel more than 20 miles to church. This policy not only limits the ability of Christians to practice their faith but also enables the Government to claim that new churches are not needed because the existing ones are under-utilized.

In prior reporting periods, the Government condemned and destroyed Christian "prayer houses" that were built in IDP camps in the North without obtaining permits. The Catholic Church also built "activity centers" near IDP camps which function as churches without official permits.

Although the Government has issued three permits for new churches in suburban Khartoum, some Christian leaders believed the GNU has continued the previous regime's attempts to drive churches and other Christian institutions out of the capital's center.

Despite expectations by Christian groups in the South that the GOSS would return (or pay for) church property seized by earlier governments, there was no indication that the GOSS would do so anytime soon, as the GOSS experienced a significant financial crisis during the reporting period.

As in previous reporting periods, the local government in Khartoum attempted to take advantage of a profitable real estate market by offering a high purchase price for churches with the intent of redeveloping the area while denying churches the right to redevelop it for profit on their own, or rezoning church land for commercial use to prevent future church construction on that site.

Although there is no penalty for converting from another religion to Islam, converting from Islam to another religion is punishable by death in the North. This practice has never been carried out by the current Government. Muslims in the North who attempt to convert to another faith, however, are generally regarded as outcasts by their families and face severe social pressure to recant.

The INC and the Constitution of Southern Sudan specifically prohibit discrimination on the basis of religion for candidates for the National Civil Service, although Muslims have traditionally been chosen for these positions over Christians. However, since 2005 there has been a marked increase in the number of Christian members in the National Assembly, the Council of States, and Cabinet. There are many Christian lawyers in the North and several Christian judges for civil law cases involving non-Muslims.

The National Intelligence and Security Service routinely monitored religious activities at mosques and churches throughout the country, often posing as members of the congregations. Christian leaders acknowledged that they usually refrain from preaching on political or other sensitive topics to avoid harassment by the authorities, although some Christian leaders used the CPA as a vehicle for religious instruction and a point of common understanding among congregants. Some Muslim imams avoided political topics in their preaching as well.

Proselytizing by any religious group in the country is not prohibited, although strong Muslim social pressures in the North against proselytizing and Shari'a apostasy penalties within the North's legal code effectively limited Christian missionary activities in the region. Some foreign missionary groups operated in the North, although their work was officially limited to education or services to southern Christian IDPs. Missionaries continued to operate in the South, running relief operations, medical clinics, and churches. Many Western Christian religious workers experienced delays in getting visas, although this is common for almost all visa applicants from Western countries. The Government also controlled travel to certain areas in the North by requiring all foreigners to have travel permits.

There are no formal prohibitions on the local publication, importation, or dissemination of religious texts, and copies of the Qur'an and Bible are commonly available throughout the country, both North and South. Newspapers commonly print sermons and other religious articles, and the Episcopal Church of Sudan operates a religious bookstore in central Khartoum. However, newspaper editors continued to self-censor articles on controversial religious topics.

Public preaching and processions were allowed throughout the country. Muslim sermons were commonly broadcast over loudspeakers in the North and could be heard well outside the walls of mosques. However, Christian leaders said that they were cautious about preaching outside of their churches or leading public processions; they usually limited these activities to Christmas and Easter celebrations.

Abuses of Religious Freedom

On January 1, 2007, police raided the seat of the Episcopal Church of Sudan Diocese of Khartoum with tear gas, injuring six worshippers. The raid occurred during an annual prayer service to mark the coming of the New Year and marked the first time since the signing of the 2005 CPA that authorities in Sudan have disrupted a religious gathering.

In May 2006 officers of the National Intelligence and Security Service detained and beat Christian leaders who met with a Muslim woman who wanted to convert to Christianity. The Government did not charge the woman with apostasy, and she returned to her family.

Forced Religious Conversion

Although there was no evidence of forced conversions in the period covered by this report, there is considerable social pressure for non-Muslims in the North to convert to Islam. The President frequently ended his public speeches with a call for victory over the "infidels," and state media outlets routinely referred to Christians as "nonbelievers." Christian parents reported that their children enrolled in public school were commonly asked why they were not Muslims.

There were no reports of the forced religious conversion of minor U.S. citizens who had been abducted or illegally removed from the United States, or of the refusal to allow such citizens to be returned to the United States.

Improvements and Positive Developments in Respect for Religious Freedom

There was some improvement in respect for religious freedom in the period covered by this report. The 2005 adoption of the INC and the Constitution of Southern Sudan continued to improve government and societal acceptance of minority religious groups in both the North and the South. The February 2007 appointment of the Commission for the Rights of Non-Muslims in the National Capital fulfilled a key commitment by the GNU to address religious freedom violations in the North; however, the Commission was established late, only convened once, and did not implement any decisions or rulings during the reporting period.

There was little Christian media programming in the North, and little local broadcasting of any kind in the South. However, the GNU permitted 24 hours of Christian broadcasting on Khartoum television on Christmas Day 2006. This was the first time such programming had been permitted, reaching a broadcast area of about 30 miles around Khartoum.

Section III. Societal Abuses and Discrimination

Religious identity is an important cultural marker in society, often overlapping with other racial, ethnic, and linguistic traits. Relations between individuals of different religious backgrounds were often good on a personal level, although government policy in the past frequently undermined an atmosphere of religious tolerance by favoring certain religious or ethnic groups to the detriment of others. The signing of the CPA and the adoption of the INC marked a change in these policies and contributed to improved relations between Muslims and Christians.

In September 2006 Mohamed Taha, the Shi'a editor-in-chief of Al Wafaq daily newspaper, was found decapitated on a street in Khartoum. Although there were no arrests made in the killing, there was widespread speculation that he was murdered by religious extremists who opposed his decision to republish a contentious article about the origins of the Prophet Muhammad the previous year. In May 2005 Taha had faced criminal charges of defaming religion for publishing the article but was later acquitted.

Muslims in the North who express an interest in Christianity or convert to Christianity face severe social pressure to recant. Muslim converts to Christianity are typically regarded as outcasts by their families and are sometimes forced to flee the country. Some Christian converts fear their Muslim families will beat them or report them to authorities for prosecution, although others note that many Muslim families are too embarrassed to draw public attention to the matter.

Although the social pressure for women to wear headscarves in public in the North has decreased, social pressure remained for both Muslim and non-Muslim women in universities to wear headscarves to classes.

As in the past, the SIRC played a role in promoting interreligious dialogue and understanding; however, it was less active during this reporting period than previously. Although the SIRC is officially an NGO, it received much of its funding from the GNU. In the past some Christian leaders expressed disappointment with the SIRC's ability to help Christians regain confiscated church property, and some Muslim leaders questioned SIRC's representation of all Muslims in the country.

The SCC includes 12 Catholic, Orthodox, and Protestant churches in northern and southern Sudan. The SCC generally cooperated with the SIRC, although some SCC members expressed concerns that the SIRC is too close to the Government.

Section IV. U.S. Government Policy

The U.S. Government encouraged respect for religious freedom in its discussions with the GNU and urged it to fulfill the promise of religious freedom made in the CPA and the INC. The U.S. Government made clear that continuing restrictions on religious freedom are an impediment to improved relations between the two countries.

U.S. embassy officials met on a regular basis with leaders from many Muslim and Christian groups in Khartoum, Juba, and on trips outside the capital, noting the importance of religious tolerance and the extent of U.S. interest and concern.

The Embassy sponsored a prominent Sufi Muslim cleric for the International Visitor Program. The Embassy also maintained contact with key figures in religious communities through occasional individual meetings and mailings of articles and reports relating to religious freedom.

Since 1999 the Secretary of State has designated Sudan a Country of Particular Concern annually under the International Religious Freedom Act for particularly severe violations of religious freedom. Economic measures in effect against Sudan under the International Religious Freedom Act relate to the use of the voice and vote of the United States regarding loans or other International Financial Institutions' funds for Sudan pursuant to the International Financial Institutions Act.

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