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2014 Report on International Religious Freedom - Sudan

Executive Summary

The Interim National Constitution (INC) requires that the government respect religious rights to worship, assemble, and maintain places of worship. Laws and government practices continued to favor Islam, however, and to make conversion from Islam to another religion a crime. The criminal code does not explicitly ban proselytizing, but criminalizes both apostasy and acts that encourage apostasy against Islam. In May a local court sentenced Meriam Yahia Ibrahim Ishag to 100 lashes and death by hanging for allegedly committing apostasy and adultery by marrying a Christian man. Ishag said she had been raised as Christian and identified as such. Following significant international pressure, a higher court overturned the sentence in June, but Ishag was not allowed to depart the country until a month later. Most individuals charged with apostasy recanted their non-Islamic faith or fled the country to escape harsh penalties, including death. The government also continued to deny permits for the construction of new churches, detain church members, close or demolish pre-existing churches, restrict non-Muslim religious groups and missionaries from operating or entering the country, censor religious materials and leaders, and arrest or intimidate suspected proselytizers.

There was a general consensus among religious leaders that Muslim and Christian communities generally co-existed peacefully. Muslim citizens sometimes harassed and intimidated non-Muslims, however, and pressured them to convert to Islam. Some employers and school authorities refused to excuse Christian students for Sunday religious observances and a small but growing minority of Salafist groups increased their rhetoric against other Muslims and non-Muslims. Because of the overlap between ethnicity and religion, it was often difficult to determine whether reported abuses were specifically due to religious intolerance.

U.S. embassy officials advocated for respect for religious freedom in discussions with the government, including at the highest levels, and urged it to uphold religious freedom and tolerance protections enshrined in the country's legal framework and historical traditions. Embassy officials stressed respect for religious freedom was crucial to improved relations with the United States. The embassy held several outreach events involving religious figures from across the religious spectrum.

The Secretary of State redesignated Sudan a Country of Particular Concern (CPC) in August under the International Religious Freedom Act (IRFA) for having engaged in or tolerated particularly severe violations of religious freedom. As a result of its CPC designation, the country was ineligible for aid under Section 116 of the Foreign Assistance Act of 1961.

Section I. Religious Demography

The U.S. government estimates the total population at 35.5 million (July 2014 estimate). The government estimates approximately 97 percent of the population is Muslim and 3 percent of the population is Christian. Almost all Muslims are Sunni, although there are significant distinctions among followers of different Sunni traditions, particularly among Sufi orders. In addition, there are small Muslim minorities, including Shia, based predominantly in Khartoum, and a small but growing number of Salafists.

Although Muslims make up the majority of the population, current and reliable figures on the breakdown of Muslim and non-Muslim populations do not exist. It is unclear whether estimates include long-term residents of Southern Sudanese origin (who are predominantly Christian or animist), whose status remains under review by the government. Some religious advocacy groups estimate non-Muslims make up between 15 to 20 percent of the population. Christians reside throughout the country, primarily in major cities such as Khartoum, Port Sudan, Kassala, Gedaref, el Obeid, and el Fasher. Christians also are concentrated in some parts of the Nuba Mountains. Khartoum's formerly significant Christian population decreased with the emigration of many Christians of southern heritage to South Sudan.

There are small, long-established groups of Coptic Orthodox and Greek Orthodox Christians in Khartoum and other cities. There are also Ethiopian and Eritrean Orthodox communities, largely made up of refugees and migrants, in Khartoum and the eastern part of the country. Other smaller Christian groups include the Africa Inland Church, Armenian (Apostolic) Church, Sudan Church of Christ, Sudan Interior Church, Sudan Pentecostal Church, Sudan Evangelical Presbyterian Church, Presbyterian Church of the Sudan, Seventh-day Adventist Church, Roman Catholic Church, Episcopal Church, and Jehovah's Witnesses.

Government statistics indicate less than 1 percent of the population, primarily in Blue Nile and South Kordofan states, adheres to traditional African religious beliefs. However, some Christians and Muslims incorporate aspects of these traditional beliefs into their professed monotheistic faiths.

A very small Jewish community is believed to remain, predominantly in the Khartoum area. Its presence could not be confirmed, as the community's members do not publicly identify themselves or their places of worship.

Section II. Status of Government Respect for Religious Freedom

Legal Framework

According to the INC, all rights and freedoms enshrined in international human rights instruments ratified by Sudan are considered integral parts of the INC's bill of rights.

The INC provides for freedom of religious creed and worship, and grants individuals the right to declare their religious beliefs and manifest them by way of worship, education, practice, or performance, subject to requirements of laws and public order. It prohibits the coercion of individuals to adopt a faith they do not believe in or to engage in rites or services to which they do not voluntarily consent. Existing laws, however, generally favor Islam.

The INC distinguishes between northern states (present day Sudan) and southern states (present day South Sudan). It dictates that national legislation for the northern states shall have its basis in sharia, but otherwise does not stipulate laws based on a person's religion. The INC has not yet been amended to reflect the 2011 independence of South Sudan or to address the issue of non-Muslims who may be living in Sudan. The INC does, however, state that where the majority of residents do not practice the religion or customs on which the national legislation is based, citizens may introduce new legislation consistent with their religion and customs or refer the old legislation to the Council of States, the lower house of parliament. To date no group has attempted to introduce new legislation or referred existing legislation to the council.

The INC allows religious groups to establish and maintain humanitarian and charitable institutions, acquire property and materials related to their religious rites and customs, write and disseminate religious publications, teach religion, solicit public and private contributions, select their own religious leaders, observe days of rest, celebrate religious holidays, and communicate with constituents on matters of religion.

The INC denies recognition to any political party that discriminates based on religion and specifically prohibits religious discrimination against candidates for the national civil service. Constitutional violations of freedom of religion may be pursued in the Constitutional Court; however, cases of discrimination often originate in lower courts addressing civil or criminal charges.

National laws reflect a sharia system of jurisprudence. The criminal code states that the law shall be based on sharia sources and include Islamic Hudud, Qisas, and Diyah principles. It takes into consideration sharia schools of jurisprudence (*madhahib*). The code makes exception for application of these principles to the "southern states" which now constitute South Sudan. Other criminal and civil laws are determined at the state level.

Some aspects of the code specify punishments for Muslims based on sharia principles. For example, the criminal code stipulates 40 lashes for a Muslim who drinks, possesses, or sells alcohol; no punishment is prescribed for a non-Muslim who drinks or possesses alcohol in private. Any person who drinks alcohol and becomes a public nuisance is subject to penalties of one-month imprisonment, up to 40 lashes, and a possible fine. Most other articles of the code specify punishments according to the region (north or south) where the crime occurred, rather than the religion of the accused.

The criminal code's section on religious offenses includes articles on violations against any religion, such as insulting religion or blasphemy, disturbing places of worship, and trespassing upon places of burial.

The penalty for blasphemy and defamation is up to six months in prison, flogging of up to 40 lashes, and/or a fine. The law has only been enforced against blasphemers of Islam.

The law specifies imprisonment or death as punishment for those who convert from Islam to another religion. There is no penalty for someone who converts from another religion to Islam. A person convicted of conversion has an opportunity to recant. The criminal code does not explicitly ban proselytizing, but criminalizes both apostasy and acts that encourage apostasy against Islam.

By law the justice minister can release any prisoner who memorizes the Quran during his or her prison term. The release requires a recommendation for parole from the prison director-general and a religious committee that consults with the Ministry of Guidance and Endowments (MGE) to ensure decisions comply with Islamic legal regulations.

Muslim men may marry Christian or Jewish women, but a Muslim woman cannot legally marry a non-Muslim man unless he converts to Islam.

Separate family courts exist for Muslims and non-Muslims to address personal affairs such as marriage, divorce, and child custody according to their religious norms. In cases of a custody dispute where one parent, usually the father, is Muslim and the other a Christian, courts will grant custody to the Muslim parent if there is any concern the mother will raise the child in a religion other than Islam.

The president appoints an official body of 40 Muslim religious scholars, the Islamic Panel of Scholars and Preachers (IPSP), to four-year renewable terms to advise the government and issue fatwas on religious matters, including levying customs duties on the importation of religious materials and the payment of interest on loans for public infrastructure. The panel's opinions are not legally binding. Generally, Muslim religious scholars are free to present differing religious and political viewpoints in public.

To be officially recognized by the government, religious groups must register at the state level with the MGE, or a related ministry such as the Ministry of Culture. The MGE regulates religious practice, including activities such as reviewing Friday sermons at mosques. It determines, along with the state-level entities responsible for land grants and planning, whether to provide authorizations or permits to build new houses of worship, taking into account zoning concerns such as the distance between religious institutions and population density. (The allocation of land to religious entities is determined at the state level.) The MGE also is mandated with assisting both mosques and churches in obtaining tax exemptions and duty-free permits to import items such as furniture and religious items for houses of worship, and assisting visitors attending religiously sponsored meetings and activities to obtain tourist visas through the Ministry of Interior.

An interministerial committee must approve religious clergy and other foreigners seeking a residency permit.

Religious groups with humanitarian or development agencies must register those bodies as nonprofit, nongovernmental organizations (NGOs) with the Humanitarian Aid Commission (HAC).

The HAC oversees NGOs and nonprofit organizations. Groups registered with the HAC must have their activities approved and financial statements reviewed by the government.

Public order laws, based largely on the government's strict interpretation of Islamic law, vary by state and are primarily enforced in large cities. They prohibit indecent dress and other "offenses of honor, reputation, and public morality." The law grants the special public order police and judges wide latitude in arresting and passing sentence on accused offenders.

The curriculum for religious education is determined by the Ministry of Education. According to the ministry, the Islamic curriculum is intended to reflect one (Sunni) form of Islam.

The state-mandated curriculum requires all schools, including international schools and private schools operated by Christian groups, to teach Islamic education classes to Muslim students, from pre-school through the second year of university. Public schools must provide other religious instruction to non-Muslims. A minimum of 15 Christian students per class is needed to require Christian instruction in public schools. The government often states it does not have non-Muslim teachers available to teach Christian courses in public schools. Some public schools excuse non-Muslims from Islamic education classes. Some private schools, including Christian schools, receive government-provided Muslim teachers to teach Islamic subjects, but non-Muslim students are not required to attend those classes.

Government offices and businesses follow an Islamic workweek (Sunday to Thursday). The law requires employers to give Christian employees two hours off before 10 a.m. on Sundays for religious activity. The government recognizes Islamic holidays as federal holidays and allows Christians to observe their religious holidays according to their religious traditions.

Government Practices

The courts convicted citizens of apostasy. Many of those convicted recanted their non-Islamic faith to avoid harsh penalties, including death.

On May 15, a local court sentenced Meriam Yahia Ibrahim Ishag to 100 lashes and death by hanging for allegedly committing apostasy and adultery by marrying a Christian man, in a case brought against her by her family. Separate charges were pursued against her in a Muslim family affairs court. Ishag said she had been raised as Christian by her mother and identified herself as a Christian. The government released Ishag from custody after a higher court overturned her original sentence in June following significant international pressure, but prevented her from departing the country until a month later. Ishag's lawyers cited difficulties in filing the case with the Constitutional Court due to delays in the criminal and family affairs courts.

In April the government arrested Faiza Abdullah when she attempted to file for national identification documents as a Christian with a Muslim name. Authorities released Abdullah during her trial in April, after she recanted her Christian faith. Her marriage to her Christian husband was subsequently annulled.

There were reports of blasphemy or defamation cases during the year. Local media reported that in May a local court convicted a young man in West Kordofan of insulting the Prophet Muhammad. He was sentenced to six months in prison and fined 500 SDG (\$78).

Government officials continued to state that Islamic principles should inform official policies. President Bashir and other senior figures frequently emphasized the Islamic majority of the country, and asserted the separation of South Sudan further solidified the country's Islamic identity. President Bashir and other senior leaders asserted the country should adopt a fully Islamic constitution.

There were reports that government security services closely monitored mosques.

The authorities imposed sanctions ranging from stern official warnings to arrest and detention of imams accused of making anti-government statements, inciting hatred, or espousing violent or Takfiri ideology, which considers other Muslims who do not follow a prescribed form of Islam apostates.

In July the National Intelligence and Security Service (NISS) temporarily detained, and later released, Salafist cleric Mohamed Ali Aljouzoli and banned him from giving Friday sermons. Online videos of Aljouzoli portrayed him inciting religious violence.

On September 20, the Ministry of Justice issued a decision to drop charges and close the criminal case of Amira Osman Hamed, a woman arrested in 2013 for refusing to wear a headscarf.

The government has suspended allocation of plots for most non-Islamic places of worship since the 1990s, but it continued to grant permits for the construction of mosques. In July the MGE reiterated the government's policy of not granting permits for the construction of new churches that did not meet the government's population density parameters. This law did not apply to mosques.

The government, citing zoning restrictions, low Christian population density, or national security, closed or demolished places of worship and cultural centers affiliated with religious institutions. Some churches said the government repeatedly denied them permits to construct churches.

In contrast to the previous years, the Sudan Council of Churches (SCC) reported receiving formal complaints from its member churches regarding acts of discrimination and intimidation committed by the government. These complaints included instances in which Christians, including religious leaders, were detained and churches were closed, demolished, or prevented from opening.

On December 21, authorities arrested Rev. Yat Michael, a pastor from South Sudan who was visiting Khartoum. Michael had been preaching that morning at the Khartoum North location of the Sudan Presbyterian Evangelical Church. At year's end, the government had not confirmed Michael's whereabouts or potential charges against him. It is unclear whether he was arrested due to his religious affiliation or for another reason.

Between November 17 and December 2, government authorities attempted to forcibly evict members of the Sudan Presbyterian Evangelical Church (SPECS) of Bahri from land which an investor claimed he had purchased from the government-appointed Evangelical Community Council. On December 2, police attempted to evict church members and arrested 39 individuals during a prayer vigil on the church compound. One court acquitted 15 individuals; however, two other courts convicted 24 people of "public nuisance," fined them 250 Sudanese pounds (SDG) (\$39) and released them the same day. Church representatives stated the government wrongfully assisted investors to make a claim to the church's land by appointing the members to the Evangelical Community Council, which had sold the land. In December the governor of Khartoum announced the formation of a four-person reconciliation committee to address what the government viewed as an administrative conflict within the church. At year's end, legal cases to secure the Church's land remained open.

In September the government ordered the closure of the Iranian cultural center in Khartoum. Local media cited some government officials as stating the center had sought to spread Shiism in the country and, as such, posed a national security threat.

On August 13, authorities closed the Khartoum Cultural Center of the Pentecostal Church, stating the facility where it held church services was in a zoned residential area. The government seized the property, despite the Pentecostal Church's holding legal title to the land. Church leaders agreed with the government to use the center only for administrative purposes and not for worship services. As of year's end, the property remained closed. The Constitutional Court accepted this case for review.

On June 30, government workers demolished the Church of Jesus Christ in Alizba, Khartoum North. Many of the church's members were Nuban. Church officials stated the government had denied permit requests since the 1990s, when the church had opened. In November the MGE stated the church had not filed for a new plot of land. At year's end the church reported the government continued to deny its requests.

The government restricted some religious-based political parties. In May the government Political Parties Affairs Council (PPAC) rejected the Sudanese Republican Brothers Party application to register as a political party. The PPAC argued the party's political ideology was secular, thus contradicting the sharia basis of the constitution. A lawyer submitted a case to the Constitutional Court on behalf of the Republican Brothers Party.

The government restricted non-Muslim religious groups from operating or entering the country and continued to monitor activities and censor material published by religious institutions. The MGE granted a limited number of Christian missionary groups permission to engage in humanitarian activities and promote Muslim-Christian cooperation.

In July government authorities cancelled an interfaith workshop facilitated by the SCC and a U.S.-based NGO. Government officials said conference organizers had not registered participants or disclosed their financial sources to the government. Conference participants stated security officials questioned organizers about the Christian content of the event. The government allowed the NGO to conduct other activities throughout the country.

Some Christian churches reported they were required to pay or negotiate taxes on items such as vehicles, even though the government had previously granted them or their humanitarian institutions tax-exempt status.

Some church officials reported the government refused to grant, or delayed renewing, work and residency visas to church employees of foreign origin, including missionaries and clergy, or to individuals it thought would proselytize in public places. Individuals not in possession of a valid visa were required to pay a 40 SDG fine (\$6.25) for every day they were not in status. The government only granted residence permits with less than one-year validity.

The government closely scrutinized those suspected of proselytizing and used administrative reasons, or other aspects of the law such as immigration status, either to deport them or to exert financial pressure on these individuals to refrain from proselytizing and leave the country. As a result, most non-Muslim groups refrained from public proselytizing.

In July the NISS closed a Korean-owned music school and confiscated its property. Government authorities claimed the school was used to proselytize. The school's director, a Korean national, denied the allegation. The Korean national departed the country within 48 hours, as required by the government. In November the government forced a Korean engineer it suspected of supporting religious activities to leave the country within 72 hours.

Although the INC prohibits discrimination against candidates for the national civil service based on religion, some prominent ministries requested information on religious affiliation on their employment applications. Some official government documents also required identification of an individual's religion.

Unlike in previous years, there were no reports of pro-government militias or government forces using anti-Christian slogans, but the government occasionally referred to rebel groups as secular or anti-Islamic or to rebel supporters as traitors and mercenaries implementing Western and Zionist programs.

A few Christian politicians held prominent seats in the government. These included the state minister of water resources and electricity as well as a member of the National Elections Commission.

Christian orphanages continued to operate in the country. Unlike in previous years, there were no reports of government interference in the operation of the orphanages.

Prisons provided prayer space for Muslims. Some prisons, such as the Women's Prison in Omdurman, had dedicated areas for Christian observance. Christian clergy held services in prisons, but access was irregular.

In May the Khartoum State Supreme Council for Social Peace, previously known as the Higher Council for Peaceful Co-Existence, a group comprised of government officials, religious leaders, and civil society members,

reported its mission had changed from focusing on interreligious dialogue to broader issues of social concern.

Section III. Status of Societal Respect for Religious Freedom

Because religion and ethnicity are often closely linked, it was often difficult to categorize many incidents as being solely based on religious identity. Christian and Muslim religious leaders asserted that Christian and Muslim communities generally co-existed peacefully. Acceptance of Judaism and other non-Islamic religious groups could not be fully assessed, given their limited presence in the country.

There was generally greater tolerance for different religions in rural areas as compared to major cities, where government policies in general were more strictly enforced. Nonetheless, Christian-owned businesses in Khartoum publicly displayed Christian religious symbols.

Economic incentives, such as the perception of better employment prospects and higher education opportunities, reportedly pushed non-Muslims to claim a Muslim identity.

Some Christian workers and students reported not being able to take time off work or school for religious observances on Sundays, despite its allowance by law.

Government officials reported tensions between some Muslim sects. A small, growing, and sometimes vocal minority of Salafist groups continued to be a concern to other Muslims and non-Muslims. The vocal groups sometimes used hostile rhetoric against other Muslims in social media and in university gatherings.

In September Sufi and Salafist groups clashed in Kassala at a local mosque when a Salafist prevented a Sufi from chanting on the subject of the Prophet Muhammad inside the mosque. Police arrested individuals from both groups following the incident.

In September assailants burned the tomb of Sheikh Ali Beatie in Kassala. The perpetrators opposed the sheikh's teachings. Police initially arrested four suspects but released them after the case was settled out of court.

Local media and public opinion were generally critical of the Shia presence in the country. In September the IPSP issued a statement supporting the government's decision to close the Iranian Cultural Center and warned against Shiism. Several newspaper articles also featured stories supporting the decision.

Some media and societal attitudes reflected anti-Semitic sentiments. References in the media to Israel and Jews were commonly made in derogatory terms and in connection with suspected "enemies" or "traitors of the state" and in the context of a "Zionist conspiracy."

On July 18, armed assailants attacked Osman Mirghani, Editor-in-Chief of the *Al-Tayyar* daily newspaper, and looted the newspaper's headquarters. The assailants left Mirghani unconscious. Some local media and government officials believed the attack was prompted by Mirghani's comments and articles earlier that week, which some perceived as supporting Israel. On July 21, the Abu Hamza Group to Fight Atheism and Apostasy issued a statement claiming responsibility for the attack on *Al-Tayyar*. The group vowed to target Christians and Zionist sympathizers, among others. As of December the government had not yet determined responsibility for the attack.

Unlike in previous years, there were no reports of tensions between Muslim Sudanese from the north and Christians of South Sudanese origin. The government encouraged local communities to support and assist South Sudanese, the majority of whom are Christian, who fled the conflict in South Sudan since December 2013. There were reports that Christians who had emigrated to South Sudan, following the South's independence, had reintegrated peacefully back into their old communities in Sudan following the start of the conflict in South Sudan.

The Sudan Inter-Religious Council, registered as a non-profit, non-political organization and consisting of a body of scholars, half of whom are Muslim and half Christian, continued to advise the MGE and sought to broker interfaith dialogue. The council organized a workshop in September with a U.S.-based NGO to facilitate the development of religious leaders.

The SCC, an ecumenical body representing 12 member churches in Sudan and affiliated with the World Council of Churches, engaged in civic education, advocacy, peace and reconciliation, relief, and development services. The SCC carried out these activities either directly or through its member churches. The SCC made public statements throughout the year condemning some of the government's actions relating to the closure of churches.

Section IV. U.S. Government Policy

U.S. State Department officials encouraged the government to respect religious freedom and protect the rights of minority religious groups in the context of its human rights advocacy. U.S. embassy representatives stressed respect for religious freedom was crucial to improved bilateral relations. The Secretary of State and Deputy Spokesperson for the Department of State issued several public statements expressing concern over the case of Meriam Ibrahim Ishag and urged the government to respect religious freedom as called for by their constitution and international law.

Embassy officials attended religious ceremonies of different groups throughout the year and underscored the importance of religious tolerance in regular meetings with leaders of Muslim and Christian groups.

Embassy officials also kept in close contact with NGOs, civil society, and journalists to gather their perspectives on religious freedom. In September the embassy sponsored the participation of two civil society leaders in a regional interfaith dialogue program in the United States.

In July embassy officials highlighted the importance of religious tolerance at an iftar hosted for Christian and Muslim religious figures, including imams from Salafist and Sufi mosques, as well as leaders of various Christian denominations. The embassy also supported the visit of religious groups from the United States seeking to promote interfaith dialogue in Sudan.

In January the Charge d'Affaires hosted 30 prominent Muslim and Christian leaders to discuss ways to support internal dialogue on religious freedom issues.

The embassy regularly utilized its social media outlets to share articles and messaging related to religious tolerance and freedom.

Since 1999 the Secretary of State has designated Sudan a CPC under the International Religious Freedom Act for having engaged in or tolerated particularly severe violations of religious freedom. Consequently, the country remained ineligible for aid under Section 116 of the Foreign Assistance Act of 1961. The Secretary redesignated Sudan as a CPC in July.