



Sudan

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International Religious Freedom Report 2003

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There was no significant change in the status of respect for religious freedom during the period covered by this report. The Government continued to enforce numerous restrictions.

There were strained and distant relations between the various religious communities; however, there was a governmental attempt to promote religious dialog between Christians and Muslims through its support of the Sudan Inter-religious Council, a non-governmental organization (NGO) formed in December 2002.

The U.S. Government's efforts to promote religious freedom and human rights in the country were limited by the permanent resident status of only a few of its diplomats. American diplomats were non-resident from 1996 until 2000, when visits to Khartoum were resumed. Some permanent staff were assigned in 2002, and this trend continued into the period covered by this report. The U.S. Government has made it clear to the Government that the problem of religious freedom is one of the key impediments to an improvement in the relationship between the two countries. High-level U.S. officials and U.S. Missions to international forums have raised consistently the issue of religious freedom with both the Government and the public. Since 1999, the Secretary of State has designated Sudan a country of particular concern under the International Religious Freedom Act for particularly severe violations of religious freedom.

Section I. Religious Demography

The country has a total area of 1,556,108 square miles, and its population is an estimated 35 million. The country is religiously mixed, although Muslims have dominated national government institutions since independence in 1956. There are no accurate figures on the sizes of the country's religious populations because of poor census data, as a result of 2 decades of war. According to most estimates, between 65 and 75 percent of the population is Muslim, and adherents include numerous Arabic and non-Arabic groups. Muslims predominate in the north, but there are sizable Christian communities in northern cities, principally in areas where there are large numbers of internally displaced persons. It is estimated that more than 4 million southerners have fled to the north to escape the war. Most citizens in the south adhere to either Christianity or traditional indigenous religions; however, there are some Muslim adherents as well, particularly along the historical dividing line between Arabs and Nilotic ethnic groups. There are reports that Christianity is growing rapidly in the south, particularly in areas outside of government control. There also is evidence that many new converts to Christianity continue to adhere to elements of traditional indigenous practices. There are small but long established populations of Greek Orthodox and Coptic Rite Christians centered around Khartoum and northern cities. However, the once 25,000-strong Greek community has been reduced to approximately 500, and the Coptic community, previously numbering more than 300,000, has decreased to less than 100,000, most forced to leave due to government policies adversely affecting their economic livelihood. There is only one known resident Jewish family in the country.

The Muslim population is almost entirely Sunni but is divided into many different groups. The most significant divisions occur along the lines of the Sufi brotherhood. Two popular brotherhoods, the Ansar and the Khatmia, are associated closely with the Umma Party and the Democratic Unionist Party, respectively.

The country's religious conflict is aggravated by the perception among southerners that they are second-class citizens, because northern Muslims, most of whom are native Arabic speakers, have dominated political and economic structures since independence in 1956. Southerners began an armed struggle to protest religious, political, and economic discrimination before independence. The southern ethnic groups fighting the civil war seek independence, autonomy, or some other form of regional self-determination from

the north. As the peace process progresses and negotiations between the two sides continue, many of the religious issues are being addressed and attempts are being made to reconcile the contentious issues that concern the two groups.

Section II. Status of Religious Freedom

Legal/Policy Framework

The Constitution provides for freedom of religion; however, in certain areas the Government severely restricted this right in practice. The Government treats Islam as the state religion and has declared that it must inspire the country's laws, institutions, and policies. The Constitution states that "Shari'a and custom are the sources of legislation."

Religious organizations and churches are subject to the same restrictions placed on nonreligious corporations. Religious groups, like all other organizations, must be registered in order to be recognized or to assemble legally. Registration reportedly is very difficult to obtain in practice, and the Government does not treat all groups equally in the approval of such registrations and licenses, particularly evangelical Christian groups. Registered religious groups are exempt from most taxes. Nonregistered religious groups find it impossible to construct a place of worship or to assemble legally without the fear of interference. Applications to build mosques generally are granted in practice; however, the process for applications to build churches is more difficult. The Government did not authorize the construction of any churches in the Khartoum area or in the district capitals; the Government often claimed that local Islamic community objections restricted the issuance of permits.

The Catholic Church has not registered under the 1994 act requiring religious organizations to register. It maintains that previous registrations in 1905 and 1963 remain valid, and questions whether or not these acts have been abrogated by the 1994 act. One result is that its marriage licenses are not recognized in the country. The Church has the Vatican authorize the licenses after issuing them locally.

The Government has attempted to acknowledge religious dialog through support for the creation of the Sudan Inter-religious Council and in other public gestures, such as having both a Muslim and Christian invocation at the beginning of public meetings. In May the Government permitted the airing on the state-controlled national television station of a film on the life of Jesus Christ, provided under the auspices of the religious NGO Safe Harbor.

Restrictions on Religious Freedom

Authorities continued to restrict the activities of Christians, followers of traditional indigenous beliefs, and other non-Muslims. The Government restricts at least one Islamic group, Taqfir al-Hijra, which conducts terrorist acts against other Muslims. While non-Muslims may convert to Islam, the law makes apostasy (conversion from Islam to another religion) punishable by death.

Although the Government considers itself an Islamic government, it monitors some religious and quasi-religious Islamic groups, particularly religious groups that oppose the Government through political platforms or violence against government-affiliated mosques.

Muslims may proselytize freely in government-controlled areas, but non-Muslims are hindered in their efforts to proselytize. The Government generally is less restrictive of Christian groups that historically have had a presence in the country, such as Coptic Christians and Greek Orthodox, and is more restrictive of newer arrivals.

Missionaries continued to operate, running food relief operations, medical clinics, and churches in the south. Some also operate in government-controlled areas. However, authorities sometimes harassed missionaries and other religiously oriented organizations, and the assets of various Catholic relief projects were confiscated when the projects closed temporarily or moved locations. Christian religious workers, including priests, have difficulties obtaining residence permits and exit and re-entry visas, as well as first-time entry visas. Almost all applicants are referred to security services for determination and many are disapproved.

Religious minority rights are not protected, and Islam as the "state" religion confers second-class citizenship status on non-Muslim adherents. Government jobs and contracts are reserved almost exclusively for Muslims. In government-controlled areas of the south, there continued to be credible evidence of favoritism towards Muslims and an unwritten policy of Islamization of public institutions, despite an official policy of local autonomy and federalism. Some non-Muslims lost their jobs in the civil service, the judiciary, and other professions; however, such occurrences were less frequent than in previous periods covered by this report. Few non-Muslim university graduates found government jobs. Some non-Muslim businessmen complained of petty harassment and discrimination in the awarding of

government contracts and trade licenses. There also were reports that Muslims received preferential treatment for the limited services provided by the Government, including access to medical care.

The Government requires instruction in Islam in public schools in the north. In public schools in areas where Muslims are not a majority, students have a choice of studying Islam or Christianity. However, Christian courses are not offered in the majority of public schools, ostensibly due to a lack of teachers or Christian students; in practice this means that many Christian students attend Islamic courses.

Sunday is not recognized as the Sabbath for Christians. Employers sometimes prevent Christians in the north from leaving work to worship. Christian students also have been forced to take school exams on Sundays.

While the Government permits non-Muslims to participate in services in existing, authorized places of worship, the Government continued to deny permission for the construction of any Roman Catholic churches, although some other Christian groups have received permission. However, the Government permitted some makeshift structures to be used for Roman Catholic services.

The status of negotiations to resolve a 1999 property dispute between the Episcopal Church and the Government has been temporarily resolved. The Government had occupied some of the grounds belonging to the Episcopal Church in Khartoum in 1999. The Government currently holds the health clinic on the grounds and about half the property. The Church is now leasing the remainder of the property. There is no assurance of how long the lease will continue.

Church leaders also complained that the Government does not permit Christians to be buried in Muslim cemeteries. Cemeteries must be separate. Thus, when the old Christian cemetery was full, Christians needed land for new burials. After they purchased land and began using it as a cemetery, owners of small workshops, such as tire and welding shops, constructed buildings alongside the new grounds. The construction has stopped, but there is no guarantee it will not resume, and currently the structures still stand. According to the Catholic Archbishop of Khartoum, the Government delayed the resolution of the problem by claiming there was permission to build structures abutting the cemetery wall.

In the past, the Khartoum State government razed some religious buildings and thousands of squatter dwellings around Khartoum, which largely were populated by displaced southerners, including large numbers of practitioners of traditional indigenous religions and Christians. Earlier improvements in procedures to grant squatters legal title to land in other areas and to move squatters in advance of demolitions continued.

Islamic family law applies to Muslims and not to those of other faiths, for whom religious or tribal laws apply. Certain Islamic law provisions as interpreted and applied by the Government, and many traditional practices as well, discriminate against women. In accordance with Islamic law, a Muslim woman has the right to hold and dispose of her own property without interference, and women are ensured inheritance from their parents. However, a widow inherits one-eighth of her husband's estate; of the remaining seven-eighths, two-thirds goes to the sons and one-third to the daughters. It is much easier for men to initiate legal divorce proceedings than for women. Although a Muslim man may marry a non-Muslim, a Muslim woman cannot marry a non-Muslim unless he converts to Islam; however, this prohibition is not observed or enforced in areas of the south not controlled by the Government, or among Nubans.

Various government bodies have decreed on different occasions that women must dress modestly according to Islamic standards, including wearing a head covering. There was minimal enforcement of the dress code during the period covered by this report. Women often were seen in public wearing trousers or with their heads uncovered. This technically is a violation of regulations against indecency. Public Order Police generally only issued warnings for improper dress. In 2000 the governor of Khartoum State issued a decree forbidding women from working in businesses that serve the public, such as hotels, restaurants, and gas stations. He defended the ban as necessary under Shari'a (Islamic law) to protect the dignity of women. The issue was not brought before the courts, nor was the decree reversed. It no longer was a subject of public discussion, and the authorities did not enforce it; however, some employers removed women from their positions on this basis. In spite of the decree forbidding women from working in businesses that serve the public, Khartoum sometimes witnesses policewomen directing traffic at busy intersections. Women cannot work in businesses open after 10 p.m. (for example, in restaurants), though this rule is not always observed.

Children who have been abandoned or whose parentage is unknown, regardless of presumed religious origin, are considered by the State to be both citizens and Muslims and can be adopted only by Muslims. Non-Muslims may adopt only non-Muslim children. No equivalent restriction is placed on the adoption by Muslims of orphans or other children. In accordance with Islamic law, children adopted by Muslims do not take the name of their adopted parents and are not automatic heirs to their property.

In rebel-controlled areas, Christians, Muslims, and followers of traditional indigenous beliefs generally

worship freely; however, in recent years, southern soldiers have damaged a few mosques after taking over government garrison towns. The rebel Sudan People's Liberation Movement (SPLM) would prefer a secular government but is willing to allow Shari'a to exist in northern states. Christians dominate the movement, and local SPLM authorities often have a very close relationship with local Christian religious authorities. There is no evidence that this close relationship has resulted in a failure to respect the rights of practitioners of other religions.

The Government can control the publication of religious material through its control of licenses for printing presses. For example, in 2002 the small Armenian community in the country imported a computerized printing press to publish religious material in Armenian. Thus far, the Government has refused to license the press, in spite of the fact that the community is not larger than about ten families, numbering less than one hundred people.

Abuses of Religious Freedom

Since the civil war resumed in 1983, an estimated 2 million persons have been killed in the violence or have died from the effects of the drought; approximately 4 million have been displaced internally as a result of fighting between the Government and insurgents in the south.

There is a religious aspect to the civil war: the Government is dominated by northern Muslims, while the southern ethnic groups fighting the civil war largely follow traditional indigenous religions or Christianity. The Government has declared a "jihad" (Muslim holy war) against the southern rebels. With the peace negotiations that began in June 2002, this rhetoric has diminished somewhat. The Government continued to insist that Shari'a form the basis of a unified state while southerners insist on a secular state.

There were a few reports that security forces regularly harassed and at times used threats and violence against persons because of their religious beliefs and activities; however, such reports continued to decrease during the period covered by this report.

In May the English-language daily Khartoum Monitor was suspended by the Government with the charge that writers covering a variety of religious issues had committed blasphemy. The stories they reported included "Is Islam Afraid of Christianity?" and another story asserting that it was not un-Islamic to drink home-brewed toddy. There also appeared a column on the destruction of a makeshift church and the jailing of its leader. It was believed that the stories on these subjects as well as others deemed inflammatory were used as an excuse to shut down the paper. The paper's shutdown in Khartoum had a strong effect on the English-reading community in the north.

The Government officially exempts the 10 southern states, in which the population is mostly non-Muslim, from Hudood law—that part of Shari'a which permits physical punishments, including lashings, amputations, and stonings. In the last few years, there have been many lashings but no amputations for acts deemed crimes under Shari'a. A recent Amnesty International report notes that the punishment of being lashed for drinking is regularly carried out. For instance, it reports that a southern Christian from Hajj Yusuf suburb of Khartoum North, where many refugees from the war in the southern part of the country live, told the organization that he was at home in his house when police forced an entry and accused him of having drunk alcohol. He spent 2 days in detention and then was taken to court where he denied the charge. He had no lawyer. One policeman testified against him, he was found guilty and sentenced to 40 lashes, which were applied immediately. There was a report documented by the United Nations High Commissioner for Human Rights of a 14-year-old pregnant girl in Darfur accused of adultery and sentenced to 100 lashes. There were no reports of court-ordered Islamic law punishments, other than lashings, in government-controlled areas of the south. The law legally can be applied in the south if the state assemblies approve it. Fear of the imposition of Shari'a is one of the factors that has fueled support for the civil war among opposition forces in the south.

During the period covered by this report there were reports that Catholic priests continued to be harassed by authorities, though the harassment is not as overt as in the past. The Catholic Archbishop of Khartoum did not participate in government-sponsored dialogs because he believes that the Government does not wish genuine dialog to occur. He also cited bureaucratic tangles ensuing when the Catholic Church closed or reopened clinics or humanitarian projects. The Government on more than one occasion has claimed that the assets of a closed clinic belong to the Government and has confiscated vehicles with no reimbursement.

Security forces detained persons because of their religious beliefs and activities; however, such detentions on religious grounds occurred less frequently than in previous periods covered by this report. Generally, detentions based nominally on religion were of limited duration; because the practice of religion is not technically illegal, detainees could not be held formally on religious grounds indefinitely.

There were no reports during the period covered by this report of the forced abduction of women and children and the taking of slaves, particularly in war zones, and their transport to central and northern parts

of the country. In the past, the victims in the villages largely were Christians or practitioners of traditional indigenous religions. Between February and May 2002, an International Eminent Persons Group was convened to investigate slavery, abductions, and forced servitude in the country; the group was composed of representatives from the United States, United Kingdom, Norway, France, Canada, and Italy. After the conclusion of the investigation, the Government's Committee for the Eradication of the Abduction of Women and Children was revitalized and given an explicit mandate by the President. For the first time the problem of abductions was discussed in the media. Based on their investigation, the International Eminent Persons Group reported that both forced and voluntary conversion to Islam of those abducted had occurred.

Forced Religious Conversion

Popular Defense Forces trainees, including non-Muslims, were indoctrinated in the Islamic faith. There were unconfirmed reports that in prisons and juvenile detention facilities, government officials and government-supported Islamic NGOs pressured and offered inducements to non-Muslim inmates to convert. Some persons in the government-controlled camps for internally displaced persons reported that they were at times pressured to convert to Islam. Children, including non-Muslim children, in camps for vagrant minors were required to study the Koran, and there was pressure on non-Muslims to convert to Islam. Priests are specifically barred from camps for vagrant minors. Unlike the previous period covered by this report, there were no credible reports that some boys in vagrant camps and juvenile homes had undergone forced circumcision.

In October 2002 there was a case involving the alleged abduction and forced conversion to Islam of a Coptic Christian woman in Omdurman. The lack of transparency in the case and the ongoing allegations by the woman's parents that their daughter was forced into marriage and conversion against her will brought into question the fairness of the judicial system and its ability to ensure due process for all its citizens, particularly non-Muslims. Nevertheless, the allegations of forced conversion were not confirmed.

Christians and Muslims alike are subject to compulsory national service. Although subject to Islamic indoctrination, there were no reported attempts at forced conversions of Christians. Christian leaders claim that prisoners have their sentences reduced if they convert to Islam. Anyone can join the military, regardless of religion.

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.

Section III. Societal Attitudes

There were strained and distant relations between the various religious communities.

Leaders of religious communities occasionally meet informally to discuss community relations; however, there continued to be limited interaction between Muslim and Christian clerics. An inter-faith NGO was formed with government support in December 2002. The Khartoum-based Sudan Inter-religious Council has equal numbers of Muslims and Christians and is dedicated to promoting dialog. The Council has yet to produce clear evidence that its approach to inter-religious dialog will gain enthusiastic Muslim participation and effective action from the government. Nevertheless, currently there are more public acknowledgments of a shared religious tradition by opening meetings with invocations from both traditions.

Section IV. U.S. Government Policy

The U.S. Government and the U.S. Embassy continued to encourage respect for religious freedom. The U.S. Government has made it clear to the Government that the problem of religious freedom is one of the key impediments to developing a more positive relationship between the country and the United States. The Embassy consistently raised the issue at all levels of the Government, including with the President and the Foreign Minister.

The U.S. Embassy and the Department of State forcefully raised religious freedom issues publicly in press statements and at international forums, including the U.N. Human Rights Commission. The Special Envoy for Peace in Sudan, John Danforth, an Episcopal priest and former United States Senator, met with religious leaders during his visits to the country and pressed for religious freedom. In October 2002, a representative from the State Department's Office of International Religious Freedom met with Sudanese religious leaders in Khartoum and Nairobi to discuss the status of religious freedom in the country.

U.S. diplomatic efforts to bring about peace in the country have continued to focus on promoting religious dialog. The U.S. Embassy has enlisted the help of organizations such as the Sudan Council of Churches and the Sudan Inter-religious Council to this end, and also has maintained and developed relationships

with religious leaders from both Muslim and Christian traditions.

Since 1999, the Secretary of State has designated Sudan a country of particular concern under the International Religious Freedom Act for particularly severe violations of religious freedom.

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