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2009 Report on International Religious Freedom - Sudan

[Covers the period from July 1, 2008, to June 30, 2009]

The Interim National Constitution (INC) provides for freedom of religion throughout the entire country. The INC enshrines Shari'a as a source of legislation in the north, however, and the official laws and policies of the Government of National Unity (GNU) favor Islam in the north. The Constitution of Southern Sudan provides for freedom of religion in the south, and other laws and policies of the Government of South Sudan (GoSS) contributed to the generally free practice of religion.

Although the GNU generally did not vigorously enforce its strictest restrictions on religious freedom, it generally did not respect religious plurality in the north. The GoSS generally respected religious freedom in the 10 states of the south. There was no change in the status of respect for religious freedom by either the GNU or the GoSS during the reporting period.

There were some reports of societal abuses and discrimination based on religious affiliation, belief, or practice, and religious prejudices remained prevalent throughout the country.

The U.S. Government discusses religious freedom with government officials as part of its overall policy to promote human rights. 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. The most recent re-designation occurred on January 16, 2009.

Section I. Religious Demography

The country has an area of 967,500 square miles and a population of 41.1 million. An estimated four-fifths of the population live in the 15 states of the north and are generally from Arabic-speaking Semitic groups. The remaining one-fifth of the population lives in the south and is mostly Nilotic.

An estimated 70 percent of the population is Muslim. Islam is the predominant religion in the north. Almost all Muslims are Sunni, although there are significant distinctions between followers of different Sunni traditions, particularly among Sufi brotherhoods.

An estimated 25 percent of the population holds indigenous beliefs (animism), which are prevalent in rural areas throughout the country. Some animists have been baptized but they either do not identify themselves as Christians or combine Christian and animist practices.

Christians are the third-largest religious group, traditionally concentrated in the south and the Nuba Mountains. Khartoum has a significant Christian population, in part because of migration during the long civil war. The Roman Catholic Church of Sudan and the Episcopal Churches of Sudan estimate they have six million and five million baptized followers, respectively, although active churchgoers are far fewer.

There are very small but long-established groups of Orthodox Christians in Khartoum and other northern cities, including Coptic Orthodox and Greek Orthodox. There are also Ethiopian and Eritrean Orthodox communities, largely made up of refugees and migrants, in Khartoum and the east. Other Christian groups with smaller followings include the Africa Inland Church, Armenian (Apostolic) Church, Sudan Church of Christ, Sudan Interior Church, Jehovah's Witnesses, Sudan Pentecostal Church, Sudan Evangelical Presbyterian Church (in the north), Presbyterian Church of the Sudan (in the south), and the Seventh-day Adventist Church of Sudan.

Religion plays a prominent role in the complex system of political alliances. Northern Muslims have dominated the political and economic system since independence in 1956. Since the signing of the Comprehensive Peace Agreement (CPA) in 2005, the GNU has appointed both Muslims and Christians to prominent executive positions.

The dominant political power, the National Congress Party (NCP), draws its support from conservative Arab Muslims in the north. Northern opposition parties draw their support from different Sufi brotherhoods: the Umma Party is closely connected with Arab followers of the Ansar sect, and the Democratic Unionist Party with the Khatmia sect. Opposition parties typically include non-Arab Muslims from the north, east, and Darfur regions.

Following the civil war, the Sudan People's Liberation Movement (SPLM) became the dominant political power in the south and is the main coalition partner with the ruling NCP in the GNU. The SPLM draws its support from Southern Christians but regularly engages with Muslim opposition parties and rebel groups in Darfur and the east.

Section II. Status of Government Respect for Religious Freedom

Legal/Policy Framework

The INC provides for freedom of religion throughout the entire country, but disparities in the legal treatment of religious minorities exist between the north and south. The INC preserves Shari'a as a source of legislation in the north. The Constitution of Southern Sudan provides for freedom of religion, and other laws and policies of the GoSS contributed to the generally free practice of religion. The INC and the Constitution of Southern Sudan both deny recognition to any political party that discriminates on the basis of religion. There are no legal remedies to address constitutional violations of religious freedom by governmental or private actors.

Although there is no penalty for converting from another religion to Islam, converting from Islam to another religion is punishable by imprisonment and even death in the north; however, the GNU has never carried out a death sentence for apostasy.

Blasphemy and defaming Islam are punishable by imprisonment in the north, although these restrictions are rarely enforced. Authorities in the north occasionally subject converts to intense scrutiny, ostracism, or intimidation, or encourage them to leave the country. In the south, there are no penalties for apostasy, blasphemy, or defaming religion, and proselytizing is common.

The GNU has codified limited aspects of Shari'a into criminal and civil laws, with penalties dependent on the religion of the accused. For instance, the consumption of alcohol is punishable by 40 lashes for a Muslim and 20 lashes for a Christian.

The GNU supports Islam by providing funds for mosque construction throughout the

north. The GNU also exerts influence over the established Muslim hierarchy by retaining the right to appoint and dismiss imams in most mosques in the north.

In the north, the GNU observes the following religious holidays as national holidays: the Birth of the Prophet Muhammad, Coptic Easter, Israa Wal Mi'Raaj, Eid al-Fitr, Eid al-Adha, Islamic New Year, and Christmas. In the south, the GoSS observes traditional Christian holidays but does not observe Islamic holy days.

The law requires religious groups to register with the GNU as nongovernmental organizations (NGOs), although this requirement is not enforced. Religious organizations must register as nongovernmental, nonprofit organizations to claim exemption from taxes and import duties. All religious groups must obtain permits from the national Ministry of Guidance and Social Endowments, the state Ministry of Construction and Planning, and the local planning office before constructing new houses of worship.

Shari'a apostasy penalties within the legal code limit Christian missionary activities in the north. The GNU customarily delayed for long periods the issuance of visas to foreigners affiliated with international faith-based organizations. The GoSS does not restrict the presence of foreign missionaries and does not require them to register.

Under the state-mandated curriculum, all schools in the north 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. Public schools are not required to provide any religious instruction to non-Muslims, and some public schools excuse non-Muslims from Islamic education classes. Private schools must hire a special teacher for teaching Islamic education, even in Christian schools. Christian leaders cited these requirements as exacerbating problems in the relationship between the Muslim majority and the Christian minority and as further marginalizing the place of Christianity in northern society.

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 a.m. on Sunday for religious purposes. In practice, many employers did not comply, and there was no legal remedy. Public schools are in session on Sunday and Christian students are not excused from classes. Instead, most Christians worship on Friday, Saturday, or Sunday evening.

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 two hours on Friday for religious purposes as required by national law. Schools in the south are in session on Friday, and Muslim students are not excused from class.

The Commission for the Rights of Non-Muslims in the National Capital provided a forum for dialogue on religious freedom matters. The commission provides a mechanism to address issues such as those involving non-Muslims arrested for violating Shari'a.

Restrictions on Religious Freedom

Although the GNU generally did not vigorously enforce its strictest restrictions on religious freedom, it generally did not respect religious plurality in the north. The GoSS generally respected religious freedom in the 10 states of the south. There was no change in the status of respect for religious freedom by either the GNU or the GoSS during the reporting period.

The GNU restricted foreigners from entering the country expressly for Christian missionary work, but it permitted foreign Christian leaders to enter in support of their local congregations, such as the Reverend Franklin Graham's visit to Darfur in April 2009. The Humanitarian Affairs Committee routinely expelled foreign workers of international aid organizations, although several U.S.-based Christian aid organizations maintained

large operations throughout the north.

Overwhelmingly Muslim in composition, the ruling NCP favors members of its political and tribal clique. Opposition political parties, often composed of adherents of different Sufi sects and non-Arab northern Muslims, are systematically excluded from the political process and national policymaking.

Although the INC and the Constitution of Southern Sudan specifically prohibit discrimination on the basis of religion for candidates for the National Civil Service, the selection process favored party members and friends of the NCP.

Christian leaders acknowledged that they usually refrained from preaching on political or other sensitive topics. Some Muslim imams avoided political topics in their preaching as well. The GoSS did not appear to monitor religious activities at mosques or churches in the south.

Anti-Semitic rhetoric is common in both the official media and statements by NCP officials.

Many southern Christians living in the north are economic migrants and are subject to social, educational, and job discrimination.

Abuses of Religious Freedom

On March 27, 2009, local officials in Chat, a Nuba Mountains village, allegedly led a mob that razed a building used by the Evangelical Presbyterian Church and the Sudanese Church of Christ. The attack was reportedly in response to the International Criminal Court's decision to prosecute President al-Bashir.

On February 1, 2009, the GNU's Humanitarian Affairs Commission (HAC) expelled the U.S. NGO Thirst No More from Darfur on the basis that it was not a legitimate humanitarian aid organization. Authorities accused the NGO of engaging in Christian proselytizing among Muslims in Darfur, an act forbidden by law. As proof of their claim, HAC authorities claimed the offices of Thirst No More in El Fasher contained 3,400 Arabic-language Bibles.

Religious tensions between Muslims and Christians in Southern Kordofan simmered in February 2009 when two local members of the NCP-aligned Popular Defense Force (PDF) threatened to kill a local Presbyterian church leader, according to the UN. On March 1, 2009, PDF members interrupted a church service and threatened further destruction after breaking the cross on the church's roof. On March 7, the Episcopal church in Shatt Mazarik was the target of an arson attack, and on March 21, there was a similar attack on the Catholic church in Shatt Dammam. Church leaders reported to the UN that Kadugli police took no action to investigate the crimes. On March 29, following fighting between the PDF and the SPLA, the Southern Kordofan State Legislative Council held a special session to address the mounting religious and ethnic tensions in the area.

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.

Forced Religious Conversion

There were no reports of the forced religious conversion, including of minor U.S. citizens who had been abducted or illegally removed from the United States or who had not been allowed to be returned to the United States. There is, however, considerable social pressure on non-Muslims in the north to convert to Islam.

Improvements and Positive Developments in Respect for Religious Freedom

During the reporting period, the Government did not engage in severe abuses of religious freedom.

Unlike in prior reporting periods, Christian churches in the north reported that they held regular religious services and large holiday celebrations without government interference.

Section III. Status of Societal Respect for Religious Freedom

There were some reports of societal abuses and discrimination based on religious affiliation, belief, or practice; and religious prejudices remained prevalent. Muslims in the north who expressed an interest in Christianity or converted to Christianity faced severe social pressure to recant.

Some universities continued to encourage students to pressure women to wear headscarves to classes, although social pressure for women to wear headscarves in public in the north decreased overall.

In April 2009 the Government executed eight persons in connection with the September 2006 killing of Mohamed Taha, the Shi'a editor-in-chief of Al Wafaq daily newspaper who published a controversial article about the origins of the Prophet Muhammad.

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 respect for religious freedom is crucial to improved relations between the two countries.

U.S. embassy officials met regularly with leaders from Muslim and Christian groups in Khartoum, Juba, and elsewhere, noting the importance of religious tolerance and the extent of U.S. interest and concern.

Since 1999 the Secretary of State has designated Sudan a Country of Particular Concern annually under the International Religious Freedom Act (IRFA) for particularly severe violations of religious freedom. The most recent re-designation occurred on January 16, 2009. As the action under the IRFA, the Secretary designated the use of the voice and vote of the U.S. to oppose any loan or other use of the funds of international financial institutions to or for the country consistent with 1621 of the International Financial Institutions Act, pursuant to section 402(c)(5) of the Act.
