

Sudan (48)

**2000 Annual Report on International Religious Freedom:
Sudan**

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The Constitution, implemented in early 1999, provides for freedom of religion; however, the Government severely restricts freedom of religion 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 status of respect for religious freedom has not changed fundamentally in recent years, and, particularly in the south, the Government continues to enforce numerous restrictions. Authorities continued to restrict the activities of Christians, followers of traditional indigenous beliefs, and other non-Muslims. Non-Muslims are forbidden to proselytize. There also continued to be reports that security forces regularly harassed and at times used threats and violence against persons based on their religious beliefs and activities. As part of the civil war, the Government and government-supported forces were responsible for indiscriminate bombings, the burning and looting of villages, and the killings, abductions, rapes, and arbitrary arrests and detentions of civilians, most of whom were Christians or practitioners of traditional indigenous religions. However, there were some areas in which the Government took steps that improved the situation somewhat. For example, religious prisoners and detainees were released, enforcement of public order laws was relaxed, women imprisoned under the public order law were released, and restrictions on religious visitors and gatherings were eased. Traditionally there have been amicable relations between the various religious communities, and the practice of religions other than Islam remains legal. Non-Muslims legally are free to adhere to and practice their faiths; however, in practice the Government's treatment of Islam as the state religion creates an atmosphere in which non-Muslims are treated as second-class citizens.

The U.S. Government's efforts in Sudan have been limited by the nonresident status of U.S. diplomats prior to August 1998 and by the evacuation of the Embassy's American staff in August 1998. Nonresident American diplomats resumed visits to Khartoum in late February 2000. The U.S. Government has made it clear to the Government of Sudan that the issue of religious freedom is one of the key problems impeding a positive relationship between Sudan and the U.S. The issue of religious freedom has been raised consistently with both the Government and the populace by Secretary of State Madeleine Albright, Special Envoy for Sudan Harry Johnston, Assistant Secretary of State for African Affairs Susan Rice, the U.S. mission to Sudan (resident in Nairobi), and U.S. Missions to international forums. In September 1999, the Secretary of State designated Sudan a country of

particular concern under the International Religious Freedom Act for particularly severe violations of religious freedom.

Section I. Government Policies on Freedom of Religion

Legal/Policy Framework

The Constitution, implemented in early 1999, provides for freedom of religion; however, the Government severely restricts freedom of religion 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 are subject to the 1994 Societies Registration Act. It theoretically allows churches to engage in a wide range of activities, but subjects churches to the same restrictions placed on nonreligious corporations. Religious groups, like all other organizations, must be registered in order to be recognized or to gather legally. The Government also requires that houses of worship be approved. Registered religious groups are exempt from most taxes. Nonregistered religious groups, on the other hand, find it impossible to construct a place of worship 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. The Government reportedly is working on new legislation to replace the Societies Registration Act, but has not yet invited the participation of religious groups.

In recent years, the Roman Catholic Church has not been given permission to build new churches, although some other Christian groups have received permission. Islamic orders associated with opposition political parties, particularly the Khatimia, regularly are denied permission to hold large public gatherings. No permits have been granted for church construction in Khartoum state in recent years, despite the influx of non-Muslims to the capital.

Religious Demography

Sudan is a religiously mixed country, although Muslims have dominated national government institutions since independence. There are no accurate figures on the sizes of the country's religious populations. A large majority of the population of approximately 30 million persons is Muslim: more than 75 percent of the population is Muslim and adherents include numerous Arabic and non-Arabic groups. Muslims predominate in the north. There are sizable minorities of Christians and practitioners of traditional indigenous religions. Most citizens in the south adhere to either Christianity or traditional indigenous religions. There are reliable reports that Christianity is growing rapidly in the south, particularly in areas outside of government control. There is also evidence that many new converts to Christianity continue to adhere to elements of traditional indigenous practices. The influx of 1 to 2 million southerners displaced by the war has brought sizable communities of

practitioners of traditional indigenous religions and Christians to the north. There are also small but influential and long-established populations of Greek Orthodox and Coptic Rite Christians centered around Khartoum. About 500,000 Coptic Christians live in the north. There are a few atheists and agnostics in the country, but exact figures are not available.

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 brotherhoods, the Ansar and the Khatimia, are associated closely with the Umma Party and the Democratic Unionist Party (DUP), respectively.

Northern Muslims form a majority of the population, and government institutions are dominated by northern Muslims of Arabic origin. The southern ethnic groups fighting the civil war (largely followers of traditional indigenous religions or Christians and largely of African origin) seek independence, or some form of regional self-determination, from the north.

Governmental Restrictions on Religious Freedom

Authorities continued to restrict the activities of Christians, followers of traditional indigenous beliefs, and other non-Muslims, as well as certain Islamic groups.

Muslims may proselytize freely in government-controlled areas, but non-Muslims are forbidden to proselytize. Missionaries continue to do other work, and a wide range of Christian missionary groups operated in both government and rebel-controlled areas of the country. However, authorities often harassed foreign missionaries and other religiously oriented organizations and delayed their requests for work permits and residence visas. A foreign priest was deported in August 1999. The priest reportedly was summoned by the Immigration Department on July 15, 1999, and told to leave the country within 2 weeks. No reason was given for his expulsion. The Government is generally least restrictive of Christian groups that historically have had a presence in the country, including Copts, Roman Catholics, and Greek Orthodox, and is more restrictive of newer arrivals.

Although the Government considers itself an Islamic government, restrictions often are placed on the religious freedoms of Muslims, particularly on those orders linked to opposition to the Government. Islamic orders such as the Khatimia regularly are denied permission to hold large public gatherings. In November 1999, a religious leader was arrested and detained, along with some followers, allegedly for accusing the Government of being insufficiently Islamic. Authorities released all of those detained within 1 week.

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 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.

There is a longstanding dispute between the Episcopal Church and the Government. In September 1999, the Episcopal Church stated that the Government had moved to seize a portion of the property on which the church office in Omdurman stands. A government-run health care center had operated on the site since 1973. The Church claims that it has a freehold title to the land, while the Government claims that it is a leased. The Church claims that the courts would not act independently of the Government in the case. The Church sent a memo to the Office of the President concerning the issue, but the President's Office replied that the case was a state rather than a federal issue. At a June 19, 2000 court session, a decision on the matter was postponed until August 2000.

In 1996 an Episcopal church was built in the Fetehab neighborhood of Omdurman. In 1998 local residents filed a case against the church for disturbances, and authorities closed the church as a result. The case was forwarded to the Attorney General, but no decision was issued on this matter as of mid-2000. Reportedly the Episcopal church tried to resolve the conflict by applying to state authorities for approval to build another church in a different location; however, the state authorities did not grant approval.

The Khartoum state government continued to raze thousands of squatter dwellings around Khartoum, which largely are 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. In October 1999, the First Vice President directed that demolition of churches and other Christian facilities in Khartoum be suspended and that a committee be formed under the Second Vice President to review the issue. Some church officials indicated that the number of church and school demolitions in squatter areas has declined, apparently because the replanning of squatter areas is largely complete.

The Government requires instruction in Islam for Muslim students in public schools in the north. In public schools in areas in which 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 and, in practice, this means that many Christian students attend Islamic courses.

In government-controlled areas of the south, there continued to be credible evidence of prejudice in favor of Muslims and an unwritten policy of Islamization of public institutions, despite an official policy of local autonomy and federalism. In the past, some non-Muslims lost their jobs in the civil service, the judiciary, and other professions. 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.

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 daughter inherits half the share of a son, and a widow inherits a smaller percentage than do her children. It is much easier for men to initiate legal divorce proceedings than for women. Islamic family law applies to Muslims and not to those of other faiths, for whom religious or tribal laws apply. A Muslim man may marry a non-Muslim; however, 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, nor among Nubans.

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 other 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.

Various government bodies have decreed on different occasions that women must dress according to modest Islamic standards, including wearing a head covering. In January 1999, the governor of Khartoum state announced that women in public places and government offices, and female students and teachers would be required to conform to what is deemed an Islamic dress code. However, none of these decrees have been the subject of legislation. Enforcement of the dress code regulations was reduced greatly during the period covered by this report. Women often were seen in public wearing trousers or with their heads uncovered. Public Order Police generally only gave warnings for improper dress.

In rebel-controlled areas, Christians, Muslims, and followers of traditional indigenous beliefs generally worship freely, although it appears that many of the region's Muslim residents have departed voluntarily over the years. The rebel SPLM officially favors secular government; however, the movement is dominated by Christians, 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.

Governmental Abuses of Religious Freedom

There continued to be reports that security forces regularly harassed and at times used threats and violence against persons on the basis of their religious beliefs and activities.

Catholic priests report that they routinely are stopped and interrogated

by police. Security forces also detained persons apparently in relation to their religious beliefs and activities. 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 those grounds indefinitely. However, in the past the Government often resorted to accusing, at times falsely, those arrested for religious reasons of other crimes, including common crimes and national security crimes, which resulted in prolonged detentions.

On August 8, 1999, a group of members of the Ansar al Sunna Muslim group reportedly threw stones at a Christian center in the Doroshab neighborhood of Khartoum North. When a member of the center's staff went to the local police, the police refused to take action, instead briefly detaining the staff member. He subsequently was released.

There were reports that police in Hilla Kuku harassed members of the Catholic Church. A Catholic seminarian stated that police stopped him at the bus station in Hilla Kuku on June 22, 2000 and told him to remove a wooden cross that he was wearing. After he refused, the police took him to a police station where they detained him and beat him on his neck and right wrist with a stick. After 3 hours, the police returned his cross and released him. On July 7, 2000, a foreign Catholic Church worker was stopped at the bus station in Hilla Kuku and forced into a car by unidentified men who were reportedly plainclothes security personnel. According to the worker, he initially was questioned in the car; however, after he called for help on his mobile telephone, he was blindfolded and taken to an unidentified house. In the house, he was kept in a chair with his hands tied behind his back and questioned about church activities. He was treated abusively and believes that he may have been drugged. His captors released him after dark, but warned him not to discuss what had happened.

The Government officially exempts the 10 southern states, whose population is mostly non-Muslim, from parts of the Criminal Act. The Act permits physical punishments, including lashings, amputations and stonings, based on Shari'a (Islamic law). In late 1999 and early 2000 in the north, the Government reportedly carried out amputations under Islamic law for the first time. Reports indicate that the Government carried out three amputations during the period covered by this report as punishment for violent crimes that resulted in death. All those sentenced to amputations reportedly were Muslims. No reports cited court-ordered Islamic law punishments, other than lashings, in government-controlled areas of the south. The act could be applied in the south, if the state assemblies so decide. Fear of the imposition of Islamic law fueled support for the civil war.

During the period covered by the report, 73 Christian secondary-school students in Khartoum reportedly were not allowed to continue their compulsory military service because they left their duties to attend church. The students, who had been training at a police unit in Jebel Awlia province in Khartoum state, said that they received physical abuse and insults from the police during the exercise. They claimed to be among 231 Christians out of 1,200 students at the camp. The national

service coordination office in Khartoum state reportedly denied that there was a problem at the training camps.

Government authorities, using soldiers for security, have razed approximately 30 religious buildings with bulldozers since 1990.

While non-Muslims may convert to Islam, the 1991 Criminal Act makes apostasy (which includes conversion to another religion) by Muslims punishable by death. In mid-1998, the government began prosecution of an apostasy case against Faki Koko, a Nuban, who was accused of converting from Islam. Faki Koko reportedly was released during 1999 and allowed to leave the country for health reasons without charge or trial, although his current status and location remain unclear.

Popular Defense Forces trainees, including non-Muslims, are indoctrinated in the Islamic faith. In prisons government-supported Islamic nongovernmental organizations (NGO's) pressure and offer inducements to non-Muslim inmates to convert. Some NGO's reported that persons in the government-controlled peace camps were subject to forced labor and at times were pressured to convert to Islam. Children, including non-Muslim children, in government-controlled camps for vagrant minors are required to study the Koran, and there is pressure on non-Muslim children to convert to Islam.

The Government charged Reverend Hillary Boma and Reverend Lino Sebit, along with 18 other persons, with involvement in the June 1998 Khartoum bombings, but released them in December 1999. The charges were viewed widely as unsubstantiated and possibly designed to intimidate Christians and the political opposition.

Since the civil war resumed in 1983, an estimated 2 million persons have been killed and 4 million displaced internally as a result of fighting between the Government and insurgents in the south. The civil war continued during the reporting period despite limited cease-fires, and all sides involved in the fighting were responsible for abuses in violation of humanitarian norms. Government and government-supported forces in particular are responsible for the killings, abductions, rapes, and arbitrary arrests and detentions of civilians, and for the burning and looting of villages. 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 are largely followers of traditional indigenous religions or Christians.

As part of the civil war, the Government has engaged in a program of high altitude, indiscriminate bombing of southern areas, particularly in the states of Equatoria, Western Upper Nile, and the Nuba Mountains. The bombings hit schools, medical facilities, and civilian buildings in these areas inhabited primarily by persons practicing traditional African religions and by Christians. For example, Catholic Bishop Macram Max Gassis reported that on February 8, 2000, Government forces bombed a Catholic school in his diocese in the Nuba Mountains killing at least 14 children and 1 teacher, and wounding 14 other persons. Government officials described the incident as a legitimate bombing. In April 2000,

the Government, responding to international pressure, announced a halt to aerial bombardments "except in self defense and in active operations areas."

The taking of slaves, particularly in war zones, and their transport to parts of central and northern Sudan, continued, and was due, in part, to the victims' religious beliefs. There were frequent and credible reports that Baggara raiders, armed and reportedly supported by the Government, attacked a number of villages in the Bahr al Ghazal region, taking a number of persons, almost exclusively women and children, as slaves. For example, there was a report in July 1999 that the army attacked the towns in Ruweng county, burning several churches, abducting hundreds of persons, and killing dozens of civilians. The victims in the villages were largely Christians or practitioners of traditional indigenous religions. Some children from Christian and other non-Muslim families, captured and sold into slavery, were converted forcibly to Islam. Militia and Baggara raids were reduced significantly during the period covered by this report, due largely to a reconciliation between the Dinka and Nuer tribes in March 1999.

In June 2000, a group of 12 armed police entered the priests' residence of the Catholic Comboni College secondary school with a warrant to search for illegal immigrants and foreign currency. The rooms of two priests and a medicine storeroom were searched. The police did not arrest anyone, and spoke with one priest. Police took a camera, a file of newspaper cuttings, five boxes of slides, a corrector tape, three floppy disks, and a bottle of whiskey. The items were accounted for at the time and returned 2 days later. A mobile telephone and cash are believed to have disappeared, but were not listed among the items taken by police during the search. No charges were filed in the case. The Catholic Comboni College has a religiously and ethnically mixed student body and generally operates without interference or harassment.

In July 1999, the principal of an Episcopal Church school in Haj Yusuf requested assistance from the commissioner of Khartoum North to build a new classroom. After construction, the commissioner asserted that the school belonged to the Government. The Church refused to hand over the school, and the commissioner filed suit against the church. Both the court and the state governor have directed the commissioner to cede control of the school to the Church, but reportedly the commissioner has been reluctant to obey. In December 1999, police injured five persons in a clash in northwest Khartoum over this issue. The school remained closed as of June 30, 2000.

Improvements in Religious Freedom

There were some areas of improvement in the Government's respect for religious freedom. During the period covered by this report, the Public Order Police (controlled by Khartoum state) were less extreme in their application of the Public Order Law. Women were seen more commonly without head coverings and wearing trousers. When stopped by the Public Order Police, they commonly were warned rather than detained. In May 2000, President Omar Hassan Al-Bashir ordered that

all women in prison for violations of the Public Order Law be released. Of the 563 women released, most were non-Muslims convicted of illegally making and selling alcohol; however, some women reportedly were subsequently arrested for illegally making and selling alcohol. Public Order Courts and their special judges were abolished. The Minister of Justice indicated in June 2000 that the Ministry was writing a new national public order law; however, no changes were implemented by June 30, 2000. During the period covered by this report, prisoners held on religious or seemingly religiously related grounds were released. Faki Koko, allegedly held for apostasy, reportedly was released during 1999 and allowed to leave the country for health reasons without charge or trial. Reverend Hillary Boma and Reverend Lino Sebit, along with 18 other persons charged with involvement in the June 1998 Khartoum bombings, were released in December 1999 by presidential decree.

On at least some occasions, restrictions on religious visitors and gatherings were relaxed. During the period covered by this report, the Archbishop of Canterbury visited the country. German evangelist Reinhard Bonnke also visited the country and held open-air services in Khartoum attended by tens of thousands. Catholic Church representatives stated that jubilee festivities attended by thousands of persons routinely took place during the period covered by this report in government-held areas without interference or harassment.

In May 1998, the Government formed the Committee for the Eradication of the Abduction of Women and Children, which has identified over 700 abductees, and returned many of them to their families. The taking of slaves is due, in part, to the victims' religious beliefs: abductees are largely Christians or practitioners of traditional indigenous religions.

The Government sometimes works with the Islamic Council of Ulama, the Sudan Council of Churches, and the Religious Dialogue to encourage interfaith dialog, but has not formed a specific mechanism for dialog in recent years. The Government maintains regular contact with many of the country's religious leaders.

Government and Sudan People's Liberation Movement (SPLM) delegations participated in IGAD-mediated peace talks in Nairobi, Kenya, in July 1999, and in January, February, and April 2000. The delegations continued discussions of the role of religion in national affairs and the predominantly non-Muslim southern region's right to self-determination.

Forced Religious Conversion of Minor U.S. Citizens

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

Section II. Societal Attitudes

Traditionally there have been amicable relations between the various religious communities, although there were a small number of clashes. For example, on August 8, 1999, a group of members of the Ansar al Sunna Muslim group reportedly threw stones at a Christian center in the Doroshab neighborhood of Khartoum North (see Section I).

Non-Muslims legally are free to adhere to and practice their faiths; however, in practice, the Government's treatment of Islam as the state religion creates an atmosphere in which non-Muslims are treated as second class citizens.

There are reliable reports that Islamic NGO's in war zones withhold other services from the needy unless they convert to Islam. There also were reports that Christian NGO's used their services to pressure persons to convert to Christianity.

Leaders of religious communities meet informally to discuss community relations.

Section III. U.S. Government Policy

The U.S. Government's efforts in Sudan have been limited by the nonresident status of U.S. diplomats prior to August 1998 and by their evacuation that month. Nonresident American diplomats resumed visits to Khartoum in late February 2000. Nonetheless, the U.S. Government and the U.S. Embassy accredited to the Government of Sudan, whose American staff is based in Nairobi and Cairo, have made concerted efforts to encourage respect for religious freedom. The U.S. Government has made it clear to the Government of Sudan that the issue of religious freedom is one of the key problems impeding a positive relationship between Sudan and the United States. The Embassy consistently raised the issue at all levels of government, including with the Foreign Minister. While present in Khartoum, representatives of the Embassy regularly meet with leaders of the religious communities in the country.

During an October 1999 visit to Nairobi, Secretary of State Albright met with a group of Christian and Muslim representatives of civil society from northern and southern Sudan, including Catholic Bishop Erkanan Lodu Tombe of Yei, and discussed the difficulties encountered by both Christians and Muslims.

Special Envoy Johnston visited the country in March and June 2000. During his two visits, he consistently and strongly raised the issue of religious freedoms at all levels of government, including with the First Vice President. He particularly emphasized the need for national law to reflect the country's diversity and the practical need for non-Muslims to be able to build houses of worship freely. Johnston credited the Government with progress in identifying and returning abductees through the Committee for the Eradication of the Abduction of Women and Children, which has identified over 700 individuals. Johnston also met with prominent Christian and Muslim leaders.

The U.S. Embassy and the Department of State worked to forcefully raised religious freedom issues publicly in press statements and at international forums, including the U.N. Human Rights Commission.

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

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