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U.S. Department of State

Annual Report on International Religious Freedom for 1999:

Sudan

Released by the Bureau for Democracy, Human Rights, and Labor
Washington, DC, September 9, 1999

Section I. Freedom of Religion

SUDAN

The Constitution, implemented in early 1999, provides for freedom of religion but states that "Shari'a and custom are the sources of legislation," however, the Government severely restricts freedom of religion in practice.

The Government treats Islam as the state religion and has declared that Islam must inspire the country's laws, institutions, and policies.

Religious organizations are subject to the 1994 Societies Registration Act, which replaced the controversial 1962 Missionary Societies Act. It theoretically allows churches to engage in a wider range of activities than did the Missionary Act, but churches are subject to the same restrictions placed on non-religious 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. In recent years, the Roman Catholic Church has not been given permission to build new churches, although other Christian groups have received permission. Islamic orders associated with opposition political parties, particularly the Ansar and the Khatimna, regularly are denied permission to hold large public gatherings.

Sudan is a religiously mixed country, although Arabised 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--well over 75 percent--is Muslim, and Muslims predominate in the north. There are sizable minorities of Christians and practitioners of traditional indigenous religions, particularly in the south where most citizens adhere to these beliefs. 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 Egyptian 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 brotherhoods or "Turq." Two of these Turq, the Ansar and the Khatimia, are associated closely with the Umma and Democratic Unionist Party (DUP) opposition political parties.

Muslims may proselytize freely in the north, 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 harassed foreign missionaries and other religiously-oriented organizations and delayed their requests for work permits and residence visas. The Government is 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.

Authorities continued to restrict the activities of Christians, followers of traditional indigenous beliefs, and other non-Muslims, and 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 because of 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, 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.

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. As of June 30, 1999, Koko remained in detention but had not yet been tried. There is speculation that the Government has chosen to leave Koko in prison until he agrees to renounce his conversion from Islam rather than bring him to trial. Koko was the only person known to be imprisoned on formal religious grounds at the end of June 1999.

In May 1998, Catholic Archbishop Gabriel Zubeir was detained for 5 hours, apparently to prevent his attendance at Intergovernmental Authority on Development (IGAD)-sponsored peace talks in Nairobi, Kenya.

On July 29, and August 1, 1998, respectively, the Government arrested Catholic priests Hillary Boma and Lino Sebit and brought them before a military court for trial. The Government charged the priests and 18 other persons with involvement in a series of bombings in Khartoum on June 30, 1998. The charges were viewed widely as unsubstantiated and possibly designed to intimidate Christians and the political opposition. At the end of June 1999, the High Court was considering whether their case should be heard by the military court or a civilian court. Fathers Boma and Sebit, and other defen-

dants in the case, have been held for a long period of time in an unknown location without outside contact, including with their families and lawyers. Father Sebit reportedly confessed to involvement in the bombing as a result of torture and mistreatment. If convicted, the detainees could face the death penalty and post-execution crucifixion, although it is not clear that post-execution crucifixion is a legal punishment for the crimes of which they are accused. All but two of the defendants are southerners.

On July 10, 1998, Ahmed Yusuf, imam of the Ansar mosque in Omdurman, delivered a homily critical of the Government and stated that the Government had fabricated the June 30 bombings to incriminate the Ansar order and its leaders, several of whom were arrested. Yusuf and three other members of the Ansar Shura Council subsequently were arrested. The Court acquitted all four defendants and ordered their immediate release. Reportedly they were rearrested immediately without charge but eventually released.

On December 17, 1998, two priests, a religious brother, four students, and a watchman were arrested at the Catholic Press in Wau. They were kept in detention or under house arrest until December 29. Authorities refused medical treatment for one of the group who recently had undergone surgery and consistently denied requests for access to an embassy (two of these persons were foreign nationals), local church authorities, or a lawyer. The members of this group were never charged with a crime but were released only after signing a statement that they would not return to Wau, and that they would not undertake activities against the Government.

There were press reports in March 1999 that on two occasions a group of Muslims calling itself "Al D'awa Wa Tabligh" gathered at an Orthodox Church in Khartoum and launched verbal attacks against the Church and Christianity. On one of the occasions, police reportedly arrested 30 Muslims. The assistant director of the Khartoum State police was quoted as saying that those arrested would be charged with infringement on the freedom of faith and religious practices.

Although the Government considers itself an "Islamic" government, restrictions often are placed on the religious freedoms of Muslims, particularly against those orders linked to opposition to the Government. Islamic orders such as the Ansar and the Khatimia regularly are denied permission to hold large public gatherings.

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. However, the Government permitted some makeshift structures to be used for Roman Catholic services. In February 1998, the authorities took full possession of the Catholic Club after refusing to allow renewal of its lease. Government authorities, using soldiers for security, have razed approximately 30 religious buildings with bulldozers since 1990. In 1998 authorities destroyed a Catholic community building used for parish activities.

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, supported by Popular Defense Force (PDF) and regular government troops, took hundreds of women and children as slaves during raids in Bahr el Ghazal during April, May, and June 1998. These practices have a pronounced racial aspect, as the victims are exclu-

sively black southerners and members of indigenous tribes of the Nuba mountains, and also have a significant religious aspect since the victims are largely Christians and practitioners of traditional indigenous religions. Some children from Christian and other non-Muslim families, captured and sold into slavery, were converted forcibly to Islam.

The Government bombed villages in the Nuba mountains, at times striking hospitals, schools, mosques, Christian churches, and religious services. Victims of these bombings, and of the civil war in general, often flee to government-controlled "peace camps." The U.S. Committee for Refugees and Christian Solidarity International reported that persons in the peace camps were subject to forced labor and at times pressured to convert to Islam.

The Khartoum state government has continued to raze thousands of squatter dwellings around Khartoum which largely are populated by southerners, who include large numbers of practitioners of traditional indigenous religions and Christians. Efforts to implement procedures to grant title and move squatters in advance of demolition improved significantly during the period covered by this report.

The Government officially exempts the 10 southern states, whose population is mostly non-Muslim, from parts of the Criminal Act. However, the act permits the possible future application of Shari'a law in the south, if the state assemblies so decide. Persons who commit certain crimes under Shari'a law are subject to Hudood punishments which can include lashings, amputations and stoning. No reports cited court-ordered Hudood punishments, other than lashings, in government-controlled areas of the south. Fear of the imposition of Shari'a law fueled support for the civil war.

The Government requires instruction in Islam 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.

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. These rules only apply 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 the south and among Nubans.

Various government bodies have decreed on different occasions that women must dress according to modest Islamic standards. This, at the least, entails wearing a head covering. For example, 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 and enforcement of the dress code regulations was uneven. In June 1999, a Khartoum court ordered that 25 students from Ahlia University be flogged; they were charged with riots, disturbances, and "obscene acts." The obscene acts apparently referred to the female students wearing trousers.

Children who have been abandoned or whose parentage is unknown--regardless of presumed religious origin--are considered 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 abandoned children. These children are considered by the state to be both Sudanese citizens and Muslims and therefore can be adopted only by Muslims. 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.

PDF trainees, including non-Muslims, are indoctrinated in the Islamic faith. In prisons government-supported Islamic NGO's pressure and offer inducements to non-Muslim inmates to convert. There are reliable reports that Islamic NGO's in war zones withhold other services from the needy unless they 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 sometimes works with the Islamic Council of Umma and the Sudan Council of Churches 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.

The Arabised Muslim culture in the north and central areas and the non-Muslim African culture in the south are the two dominant cultures. Northern Muslims, who form a majority of the population, traditionally have dominated the Government. The southern ethnic groups fighting the civil war (largely followers of traditional indigenous religions or Christians) seek independence, or some form of regional self-determination, from the north.

Government and Sudan People's Liberation Movement (SPLM) delegations participated in IGAD-mediated peace talks in Nairobi, Kenya, and Addis Ababa, Ethiopia, in May and August 1998, respectively. The delegations continued discussions of the role of religion in national affairs and the predominately non-Muslim southern region's right to self-determination. During talks held July 19 to 23, 1999 in Nairobi, Kenya, the delegations agreed to establish a permanent secretariat for sustained and continuous negotiations.

There was no change in the status of respect for religious freedom during the period covered by this report.

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 Government's refusal to allow such citizens to be returned to the United States.

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. In at least one case, Protestant missionaries in the town of Panit in Balr el Ghazal in the south reportedly baptized children who were studying at a Catholic school without their clear understanding or consent. SPLM authorities subsequently detained and later released some of the school's teachers for their involvement in the incident.

Section II. Societal Attitudes

Traditionally there have been amicable relations between the various religious communities, although there were a small number of clashes between religious communities.

In late 1997, two members of the "Taqrer al Hijra" Muslim group attacked Muslim worshippers from the Ansar al Sunna group who were entering the Medani mosque approximately 200 kilometers southeast of Khartoum. The attackers killed two persons and wounded eight others, four seriously, before they were captured.

On February 6, 1999, clashes took place at the University of Khartoum when Christian students attempted to hold a Christian book exhibition. Some Muslim students, calling themselves the "Islamic Movement," reportedly attacked the exhibit and burned some books. Injuries were reported on both sides. The Islamic Movement claimed that a mosque on the campus had been defiled and criticized what they described as a humiliation of Islam by allowing Christianity into the University. However, other Muslim students issued statements criticizing the attack on the Christian students. The book exhibition, which was scheduled in February, subsequently was put off by the university administration.

There were press reports in March 1999 that on two occasions a group of Muslims calling itself "Al Dawa Wa Tabligh" gathered at an Orthodox Church in Khartoum and launched verbal attacks against the Church and Christianity. On one of the occasions, police reportedly arrested 30 Muslims (see Section I).

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 the evacuation of the Embassy's American staff in August 1998. Nonetheless, the U.S. Government and the U.S. Embassy accredited to the Government of Sudan, whose American staff is based out of Nairobi, have made concerted efforts to promote 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. The Embassy consistently has raised specific issues, including the arrest of Archbishop Zubeir, the detention of Faki Koko, and the detentions of Muslim clerics such as Imam Ahmed Yusuf (see Section I). The Embassy and the Department of State worked to raise these issues publicly in press statements and at international forums, including the United Nations Human Rights Commission.

While present in Khartoum, representatives of the Embassy regularly met with leaders of the religious communities in the country, including the leaders of many of the Islamic orders and Archbishop Zubeir. The Embassy also has met with and briefed concerned international NGO representatives, human rights special rapporteur Leonardo Franco, and representatives of the Sudan Council of Churches.

In June 1998 in Washington, Ambassador at Large for International Religious Freedom Robert Seiple met with Catholic Bishop Gassis of the Nuba Mountains diocese. They discussed the difficulties encountered by both Catholics and non-Catholics in the Nuba mountains.

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