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Sudan

International Religious Freedom Report

Released by the Bureau of Democracy, Human Rights, and Labor
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The Constitution, implemented in early 1999, provides for freedom of religion; however, the Government severely restricts 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 status of respect for religious freedom has not changed fundamentally in recent years. The Government continued to enforce numerous restrictions. Authorities continued to restrict the activities of Christians, followers of traditional indigenous religions, and other non-Muslims as well as some Islamic groups. Non-Muslims are forbidden to proselytize, and apostasy, the conversion from Islam to Christianity, is a capital offense. The Government restricted large religious assemblies, and visas of Catholic priests were not renewed expeditiously. The Government's treatment of Islam as the state religion creates an atmosphere in which non-Muslims are treated as second-class citizens. There continued to be reports that security forces harassed and arrested persons for religious beliefs and activities. During the ongoing civil war, the Government and government-supported forces have been 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.

Traditionally there have been amicable relations between the various religious communities; however, violence between rival Muslim groups resulted in the deaths of 26 persons.

The U.S. Government's efforts in the country 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 that the problem of religious freedom is one of the key impediments to an improvement in the relationship between Sudan and the U.S. The issue of religious freedom has been raised consistently with both the Government and the populace by high-level U.S. officials and U.S. Missions to international forums. In September 1999 and again in September 2000, 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. Religious Demography

The country has a total area of 1,556,108 square miles, and its population is 35,079,814. 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. More than 75 percent of the population are 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 also is 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 also are small but influential and long established populations of Greek Orthodox and Coptic Rite Christians centered around Khartoum. Approximately 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 popular 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, who speak Arabic. The southern ethnic groups fighting the civil war (largely followers of traditional indigenous religions or Christians and largely of African origin) seek independence, autonomy, or some other form of regional self-determination from the north.

Section II. Status of Religious Freedom

Legal/Policy Framework

The Constitution, implemented in early 1999, provides for freedom of religion; however, the Government severely restricts 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 are subject to the 1994 Societies Registration Act. The Act 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 the construction of houses of worship be approved, and the Government continued to deny permission for the construction of Roman Catholic churches. 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 drafting the legislation.

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.

While non-Muslims may convert to Islam, the 1991 Criminal Act makes apostasy (which includes conversion from Islam to another religion) punishable by death.

Muslims may proselytize freely in government-controlled areas, but non-Muslims are forbidden to proselytize. Missionaries continued 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 sometimes harassed foreign missionaries and other religiously oriented organizations and delayed their requests for work permits and residence visas. For example, during the latter half of 2000, the Government refused to renew the visas of several Catholic missionaries who had been residents for long periods of time, forcing them to leave the country; the missionaries were able to re-apply for the visas while outside the country and they were subsequently granted. The Government generally is less 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.

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.

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; however, the Government did not seize the property, and the parties continued negotiations to resolve the dispute during the period covered by this report. A government-run health care center had operated on the site since 1973. The Church claimed that it has a freehold title to the land, while the Government claimed that the land is leased. The Church claimed 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 it did not have authority over the case because it 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. There was no further information available on the case by the end of the period covered by this report.

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 the authorities closed the church as a result. The case was forwarded to the Attorney General, but no decision had been issued on this matter by the end of the period covered by this report. 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 such approval.

The Khartoum State government in past years had 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; however, this practice largely had ceased by the end of the period covered by this report. 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 declined, apparently because the replanning of squatter areas largely is complete. However, at the end of the period covered by this report, the Government was trying to take over the unused part of a Christian cemetery in Khartoum in order to build shops; the dispute remained unresolved.

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. Although in past years there were reports that Islamic orders such as the Ansar and the Khatimia regularly were denied permission to hold large public gatherings, these orders were allowed to meet as religious but not as political organizations during the period covered by this report.

Religious minority rights are not protected, and Islam is the state religion; this confers a status of second class citizenship on non-Muslim adherents. 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 during the period covered by this report than in previous years. 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 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; in practice this means that many Christian students attend Islamic courses.

There were continued reports that Christian secondary school students in Khartoum were not allowed to continue their compulsory military service because they attended church. For example, in June 2000, approximately 100 Christian secondary students were not allowed to continue compulsory military service because they left their duties to attend religious services. Students who do not complete military service are not permitted to enter the University.

Sunday is not recognized as the Sabbath for Christians. Employers sometimes prevent Christians in the north from leaving work to worship.

Certain provisions of Islamic law 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 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. 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, 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 modestly according to 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 considered an Islamic dress code. However, none of these decrees have been the subject of legislation. 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. Public Order police generally only issued warnings for improper dress. In September 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. At the end of the period covered by this report, the Constitutional Court was considering a case challenging the constitutionality of the decree.

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 Sudan People's Liberation Movement (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.

Abuses of Religious Freedom

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 decreased during the period covered by this report.

In April 2001, Christian church authorities invited a German evangelist to address a rally in central Khartoum to celebrate Easter Mass and secured appropriate permits for the rally. On April 10, 2001, government authorities ordered church authorities to move the event to a venue that had insufficient space and was located on the outskirts of Khartoum in an area surrounded by mosques on the grounds that Islamic groups had made threats to disrupt the event. The leaders of the Episcopal Church and the Sudanese Council of Churches responded by sending a joint protest letter to the Government calling for the investigation of unfair treatment of Christians. On April 11, 2001, clashes broke out at the All Saints Cathedral between the police and demonstrators who were protesting the government order to move the event. Police fired at the protesters and used tear gas and truncheons to disperse them. There also were reports that hand grenades were used inside the Cathedral. Authorities arrested approximately 100 individuals, including Christian clergymen and charged them with public disturbance. After summary trials in April 2001, 53 demonstrators, including women and children, were flogged and some were imprisoned for up to 20 days.

In past years, Human Rights Watch reported that Islamic student militias operating under the protection of security forces abducted and tortured a number of student activists. During the period covered by this report, Islamic students harassed, beat, and otherwise abused non-Sudanese African students; part of the motivation for such acts appeared to be religious.

The Government officially exempts the 10 southern states, in which the 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 a 1999 case involving ethnic clashes in the Darfur region in the west, an emergency court sentenced 10 persons to hanging and subsequent crucifixion. These sentences were not carried out by the end of the period covered by this report. In late 1999 and early 2000 in the north, the Government reportedly carried out amputations under Islamic law for the first time; there were reports that between five and ten cross amputations (right hand and left foot) were carried out during the period covered by this report. The Government carried out three amputations as punishment for violent crimes that resulted in death. All those sentenced to amputations reportedly were Muslims. There were no reports of court-ordered Islamic law punishments, other than lashings, in government-controlled areas of the south. The act legally can be applied in the south, if the state assemblies approve it. Fear of the imposition of Islamic law is one of the factors that has fueled support for the civil war among opposition forces in the south.

In June 2000, approximately 100 Christian secondary school students who had been training at a police unit in Jebel Awlia province in Khartoum State, said that they were abused physically and insulted by the police during the exercise. They claimed to be among 231 Christians out of 1,200 students at the camp. It was unclear if these students were abused because they were Christian, and the national service coordination office in Khartoum State reportedly denied that there was a problem at the training camps. The students were not allowed to continue their compulsory military education because they left their duties to attend church.

Unlike in previous years, Catholic priests did not report that they routinely were stopped and harassed by police during the period covered by this report. Security forces detained persons because of their religious beliefs and activities; however, such detentions on religious grounds occurred less frequently during the period covered by this report than in previous years. 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. Although in the past there were reports that the Government 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 detention, there were no reports of such occurrences during the period covered by this report.

In December 2000, the Government arrested and detained 65 leading members of the Takfeer and Hijra group following an attack on a rival group's worshippers (see Section III); most of the individuals remained in detention and had not been tried by the end of the period covered by this report.

In September 2000, security forces briefly detained 25 women who participated in a National Democratic Women's Association demonstration protesting the governor of Khartoum's decree prohibiting women from

working in hotels, restaurants, and gas stations.

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; 4 million have been displaced internally as a result of fighting between the Government and insurgents in the south. Despite limited ceasefires, the civil war continued during the period covered by this report, and all sides involved in the fighting were responsible for abuses in violation of humanitarian norms. Government and government-supported forces in particular were responsible for the majority of 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 largely are followers of traditional indigenous religions or Christians. The Government has declared a "jihad" (Muslim holy war) against the southern rebels. One of the major factors in the continuation of the war is the Government refusal to agree to the SPLM's demand for a unified secular state.

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, markets, and civilian buildings in these areas inhabited primarily by Christians and practitioners of traditional African religions. For example, in April 2001, Sudanese Air Force bombers attacked an airstrip in the Nuba Mountains and narrowly missed hitting a plane carrying Bishop Macram Max Gassis of El Obeid Diocese in the central part of the country.

The forced abduction of women and children and the taking of slaves, particularly in war zones, and their transport to parts of central and northern Sudan, continued. The victims in part were targeted because of their religious beliefs. There were credible reports that Baggara raiders, armed and reportedly supported by the Government, attacked villages in the Bahr al Ghazal region, taking a number of persons, almost exclusively women and children, as slaves. The victims in the villages were largely Christians or practitioners of traditional indigenous religions. Militia and Baggara raids occurred during the period covered by this report. Although the Government's Commission to End the Abduction of Women and Children (CEAWAC) pledged to end slavery in the country, raids nevertheless continued.

In July 2000, at a bus station in Hilla Kuku, a Catholic worker was abducted by unidentified men, reportedly security personnel, and taken to an unidentified house. He was kept in a chair, with his hands tied behind his back, and questioned about church activities. He was released after dark but warned not to discuss the incident.

Forced Religious Conversion

Some children from Christian and other non-Muslim families, captured and sold into slavery, were converted forcibly to Islam.

The Popular Defense Forces (PDF) trainees, including non-Muslims, were indoctrinated in the Islamic faith. In prisons and juvenile detention facilities, government officials and government-supported Islamic non-governmental organizations (NGO's) 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 subject to forced labor and 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. There were credible reports that some boys in vagrant camps and juvenile homes have undergone forced circumcision.

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.

Section III. Societal Attitudes

Traditionally, there have been amicable relations between the various religious communities. However, in December 2000, supporters of the outlawed Takfeer and Hijra Muslim groups attacked a rival Muslim group's worshippers at a Sunni mosque in Omdurman during Ramadan prayers, killing 26 persons and injuring 40 others (see Section II).

There are reports that Islamic NGO's in war zones withhold other services, such as medical and food aid, 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 IV. U.S. Government Policy

Sudan

The U.S. Government's efforts in the country 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. Nonetheless the U.S. Government and the U.S. Embassy, whose American staff is based in Nairobi and Cairo, have continued to make efforts 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 government, including with the Foreign Minister. When present in Khartoum, representatives of the Embassy regularly meet with leaders of the religious communities in the country.

The 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.

In September 1999, and again in September 2000, 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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