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Sudan

International Religious Freedom Report 2008

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Although the 2005 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, and the official laws and policies of the Government 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.

There was some improvement in the status of respect for religious freedom during the reporting period. Restrictions on Christians in the north were relaxed, continuing gains realized with the creation of the Government of National Unity (GNU) in 2005. The GoSS generally respected religious freedom in the ten states of the South.

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 express an interest in Christianity or convert to Christianity, faced strong social pressure to recant.*

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.

Section I. Religious Demography

The country has an area of 967,500 square miles and a population of 40.2 million. Demographic data are estimated. Two-thirds to three-fourths of the population live in the 15 states of the north and are generally from Arabic-speaking Semitic groups. The remaining one-fourth to one-third of the population live in the south and are mostly Nilotic peoples.

An estimated 70 percent of the population is Muslim. Islam predominates 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 traditional indigenous beliefs (animism), which are prevalent in rural areas throughout the country. Some animists have been baptized but do not identify themselves as Christians, or they combine Christian and animist practices.

Christians are the third largest religious group, traditionally concentrated in the south and the Nuba Mountains. Widespread displacement and migration during the long civil war increased the population of Christians living in the north. While many Christians have returned to the south, Khartoum still has a significant Christian population. 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 in Khartoum and the east, largely made up of refugees and migrants. 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 in Sudan, the National Congress Party (NCP), draws its support from conservative Arab Muslims in the north. Its previous incarnation, the National Islamic Front, ruled from 1989 to 1998. 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.

Following the civil war, the Sudanese People's Liberation Movement (SPLM) became the dominant political power in the south, and is the main coalition partner with the ruling National Congress Party (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 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 government 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, a death sentence for apostasy has never been carried out by the current Government.

The Government supports Islam by providing funds for mosque construction throughout the north. The Government also exerts influence over the established Muslim hierarchy by retaining the right to appoint and dismiss imams in most mosques in the north.

Blasphemy and defaming religion are punishable by imprisonment in the north, although these restrictions are rarely enforced. Authorities in the north occasionally subject converts to intense scrutiny, ostracism, 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 Government has codified limited aspects of Shari'a law 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; however, there were no reported incidents of this punishment being applied during the reporting period.

The GNU observes both Muslim and Christian holidays, including Eid al-Adha, Islamic New Year, the Birth of the Prophet Muhammad, Coptic Easter, Israa Wal Mi'Raaj, Eid al-Fitr, and Christmas. In the south GoSS offices do not observe Islamic holy days.

Religious groups are required by law to register with the Government 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 Government customarily delayed the issuance of visas to foreigners with affiliations to international faith-based organizations for long periods of time. 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 further marginalized 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 2 hours before 10:00 a.m. on Sunday for religious purposes; in practice, many employers did not, and there was no legal remedy. Public schools are in session on Sunday and Christian students are not excused from classes. Most Christians instead worship on Friday, Saturday, or Sunday evenings.

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

The Comprehensive Peace Agreement of 2005 (CPA) mandated the creation of the Commission for the Rights of Non-Muslims in the National Capital, a mechanism designed to advise the courts on how to fairly apply Shari'a to non-Muslims. The Commission, comprised of representatives from Muslim, Christian, and traditional religious groups, met several times during the reporting period. Although the Commission made little headway in changing official government policy towards non-Muslims in Khartoum, it created a forum for dialogue on religious matters that was previously nonexistent and was successful in obtaining release or leniency for some non-Muslims arrested for violating Shari'a law.

Restrictions on Religious Freedom

Although the Government generally did not vigorously enforce its strictest restrictions on religious freedom, it does not generally respect religious plurality in the north.

The GoSS generally respected religious freedom in practice, and pursued policies that contributed to the generally free practice of religion during the period covered by this report.

The Government favored Muslims over Christians in the north in part by funding the construction of mosques but not churches. Many southern Christians living in the north are economic migrants, and due to many factors, they suffer from social, educational, and job discrimination.

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.

Permits for new mosques in the north were generally issued, and three new churches were under construction in Khartoum. However, many Muslim and Christian religious leaders complained that the permit process was cumbersome and time consuming. The GoSS did not appear to require permits for the construction and rehabilitation of mosques and churches.

The Government restricted foreigners from entering the country expressly for Christian missionary work, but it did permit foreign Christian religious leaders to enter in support of their local congregations. 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.

The National Intelligence and Security Service routinely monitored religious activities at mosques and churches throughout the country, often posing as members of the congregations. Christian leaders acknowledged that they usually refrain 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.

In a July 25, 2007 interview with the Saudi Arabian newspaper Okaz, the Minister of Defense Abdel Rahim Mohamed Hussein claimed "24 Jewish organizations" were fueling the conflict in Darfur. Anti-Semitic rhetoric is common in both the official media and statements by NCP officials.

Abuses of Religious Freedom

In November 2007 a British national teaching at a Christian school in Khartoum was held briefly and threatened with imprisonment and corporal punishment for acceding to her students' suggestion to name a class teddy bear after the Prophet Muhammad. Some government officials organized a street protest against the Briton, but President Bashir pardoned her, and several days after the incident she was permitted to depart the country.

In July 2007 a Catholic priest was jailed and held without charges for 3 days in connection with an investigation regarding a Khartoum woman who had planned to convert to Christianity. The priest was questioned about the woman's disappearance until the woman reported she had run away from home.

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. The United States declared the situation in Darfur a genocide in September 2004.

Forced Religious Conversion

Although there was no evidence of forced conversions in the period covered by this report, there is considerable social pressure on non-Muslims in the North to convert to Islam.

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 of the refusal to allow such citizens to be returned to the United States.

Improvements and Positive Developments in Respect for Religious Freedom

The Government's approach towards religious minorities continued to improve. The Government toned down public rhetoric aimed at religious minorities, permitted the publication and distribution of Christian newspapers in the north, and allowed a church to broadcast religious radio programming from Khartoum. Unlike prior reporting periods, the Government did not engage in severe abuses of religious freedom.

The National Assembly, the Council of States, and the Cabinet feature both Muslims and Christians in prominent roles. The Government sought out alliances with local Christian leaders and funded site improvements for Khartoum's Catholic cathedral.

In April 2008 a delegation of the World Council of Churches toured the country, met with government officials in the north and GoSS officials in the south, and hosted a large nondenominational Christian festival in Juba.

Unlike in prior reporting periods, some of Khartoum's English-language newspapers featured lengthy articles on Christian themes.

In the south, Muslim religious leaders reported less interreligious tension during the reporting period.

Section III. Societal Abuses and Discrimination

Muslims in the north who express an interest in Christianity or convert 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.

The Government arrested, detained, and charged 16 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 on a regular basis with leaders from many Muslim and Christian groups in Khartoum, Juba, and on trips outside the capital, noting the importance of religious tolerance and the extent of U.S. interest and concern. The Embassy also maintained contact with key figures in religious communities through occasional individual meetings and mailings of articles and reports relating to religious freedom.

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. Economic measures in effect against the country under the International Religious Freedom Act relate to the use of influence and vote of the United States regarding loans or other International Financial Institutions' funds for the country pursuant to the International Financial Institutions Act.

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