

SUDAN 2013 INTERNATIONAL RELIGIOUS FREEDOM REPORT

Executive Summary

The Interim National Constitution (INC) and other laws and policies officially restrict religious freedom and there were reports of arrests, detentions, and deportations. The INC stipulates Islamic law and popular consensus as the sources of legislation in the country, and the laws and policies of the government and the ruling National Congress Party (NCP) favor Islam. President Bashir and other senior leaders asserted the country should adopt an Islamic constitution that would strengthen Islamic law. The government prohibited conversion from Islam to another religion, denied permits for churches, closed or demolished churches built without permits, and failed to provide legal remedies for some instances of religious discrimination.

There were reports of societal abuses and discrimination based on religious affiliation, belief, or practice. Muslim citizens sometimes harassed and intimidated non-Muslims and pressured them to convert to Islam. Employers and school authorities refused to excuse Christian students to perform Christian rites on Sundays; and some Muslim groups increased rhetoric against other Muslims and non-Muslims. Because of the overlap between ethnicity and religion, it was often difficult to determine whether some abuses were specifically due to religious intolerance.

U.S. embassy officials encouraged respect for religious freedom in discussions with the government and urged it to fulfill the promise of religious freedom and tolerance enshrined in the country's legal and historical traditions. Embassy officials stressed respect for religious freedom was crucial to improved relations with the United States. The embassy held several outreach events involving religious figures from across the religious spectrum. In August the Charge d'Affaires held a luncheon that brought together Muslim and Christian religious leaders. At other events throughout the year, embassy officials discussed religious freedom with religious leaders, scholars, journalists, and non-governmental organizations (NGOs).

The Secretary of State redesignated Sudan a Country of Particular Concern (CPC) in August 2011 under the International Religious Freedom Act (IRFA) for having engaged in or tolerated particularly severe violations of religious freedom. This designation remained in place in 2013. As a result of its CPC designation, the

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country was ineligible for aid under Section 116 of the Foreign Assistance Act of 1961.

Section I. Religious Demography

The U.S. government estimates the total population at 35 million (July 2013 estimate). According to the Ministry of Culture and Information (MCI), approximately 97 percent of the population is Muslim. Almost all Muslims are Sunni, though there are significant distinctions among followers of different Sunni traditions, particularly among Sufi orders. In addition, there are small Muslim minorities, including Shia and the Republican Brothers, based predominantly in Khartoum, and a growing, yet still small, number of Salafists.

The MCI estimates that Christians make up 3 percent of the population. Christians primarily reside in Khartoum, the northern part of the country, and in the Nuba Mountains. It is unclear whether these numbers include residents of Southern Sudanese origin whose citizenship status remains under review. Khartoum's formerly significant Christian population decreased with the emigration of many Christians of southern heritage to South Sudan.

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

MCI statistics indicate less than 1 percent of the population adheres to traditional African religious beliefs. However, some Christians and Muslims incorporate aspects of these traditional beliefs into their acknowledged monotheistic faiths.

Section II. Status of Government Respect for Religious Freedom

Legal/Policy Framework

The INC and other laws and policies provide the right to worship or assemble in connection with religious practice or belief, and to establish and maintain places for such worship; however, laws generally favor Islam and the government

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prohibits apostasy from Islam, blasphemy, and conversion to a religion other than Islam. The INC states the country's sources of legislation are Islamic sharia and the consensus of the people. The INC denies recognition to any political party that discriminates based on religion and specifically prohibits religious discrimination against candidates for the national civil service. There are no legal remedies, however, to address constitutional violations of religious freedom by governmental or private actors.

The law specifies imprisonment or death as punishment for those who convert from Islam to another religion. A person convicted of conversion has an opportunity to recant. The law does not explicitly ban proselytizing, but the apostasy law criminalizes both apostasy and acts that encourage apostasy from Islam.

The penalty for blasphemy and "defamation" of Islam is up to six months in prison, flogging, and/or a fine.

Under the government's interpretation of Islamic law, Muslim men may marry Christian or Jewish women, but a Muslim woman cannot legally marry a non-Muslim man unless he converts to Islam. Some Muslim individuals and families reportedly did not follow this prohibition, in particular in rural areas, which are more removed from government control and where Muslim practices can be less conservative.

Public order laws, based largely on the government's strict interpretation of Islamic law, are in force in Khartoum State and prohibit indecent dress and other "offences of honor, reputation, and public morality." The law grants the special public order police and judges wide latitude in arresting and passing sentence on accused offenders.

By law the justice minister can release any prisoner who memorizes the Quran during his prison term. That action requires a recommendation for parole from the prison director-general and a religious committee that consults with the Ministry of Guidance and Social Endowments (MGSE) to ensure decisions comply with Islamic legal regulations.

Criminal and civil laws include some limited aspects of Islamic law, with penalties dependent on the religion of the accused. For example, the penalty for a Muslim or a non-Coptic Christian convicted of distributing alcohol to Muslims is 40 lashes. The penalty for a similarly convicted Copt, on the other hand, would be meted out

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by the Coptic Church. Coptic Church officials conduct many legal proceedings related to Copts, including alcohol-related issues, as per laws approved by the justice minister.

The president appoints an official body of 40 Muslim religious scholars, the Islamic Panel of Scholars and Preachers (IPSP), to four-year renewable terms to advise the government and issue scholarly religious opinions (fatwas) on matters including levying customs duties on the importation of religious materials and the payment of interest on loans for public infrastructure. The panel's opinions are not legally binding. Generally, Muslim religious scholars are free to present differing religious and political viewpoints in public.

The labor law provides for reduced working hours during the Islamic holy month of Ramadan, when most Muslims fast.

To claim exemption from taxes and import duties, religious groups must register as non-governmental, non-profit organizations by submitting formal applications to the MGSE. The ministry regulates religious practice, including activities such as registering Christian churches and reviewing Friday sermons at mosques. The MGSE also assists both mosques and churches in obtaining duty-free permits to import furniture and religious items for houses of worship.

Before building new houses of worship, all religious groups must obtain permits from the MGSE, the state-level Ministry of Construction and Planning, and the local planning office. The government has suspended allocation of plots for most non-Muslim places of worship since the 1990s, but it grants permits for the construction of mosques.

The state-mandated curriculum requires all schools, including international schools and private schools operated by Christian groups, to teach Islamic education classes from pre-school through the second year of university. Public schools must provide religious instruction to non-Muslims. Some public schools excuse non-Muslims from Islamic education classes. Private schools, including Christian schools, receive government-provided Muslim teachers to teach Islamic subjects, but non-Muslim students are not required to attend those classes.

Government offices and businesses follow the Islamic workweek, with Friday as a day of prayer. The law requires employers to give Christian employees two hours before 10 a.m. on Sunday for religious activity. Christian employees receive leave from work on Christian holidays.

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The Sudan Inter-Religious Council is a body of scholars, half of whom are Muslim and half Christian, which advises the MGSE and seeks to broker interfaith dialogue. It is partially government-funded, and the state appoints some of its members.

Government Practices

The government continued its efforts to prosecute suspected proselytizers; these efforts increased markedly when South Sudan gained its independence in 2011. Subsequently, most non-Muslim groups refrained from public proselytizing. In December 2012, police arrested two Coptic priests and briefly detained a Coptic bishop for reportedly converting a Muslim woman to Christianity. The Coptic Church later issued an apology for the incident, and called the actions of the two priests an “individual affair;” the two remained in prison without charge until their release in June.

In November there were reports a Sudanese Christian lawyer and religious freedom activist had fled the country after Sudanese security forces seized his home, detained him, and threatened him with death if he failed to register with the security services every day.

In June a spokesperson for the Sudan Council of Churches (SCC) stated the Council had not received any formal complaints from constituent churches regarding government persecution. Reportedly, however, treatment of various Christian groups often depended on that Christian community’s relationship with the government, with the Copts generally receiving the best treatment and South Sudanese Christian churches receiving poorer treatment.

The government closed or demolished churches and prayer centers constructed without permits, especially in mixed Muslim/Christian areas when Muslims complained of new church construction.

In April the government expelled the Secretary General of the Sudan Catholic Bishops’ Conference, allegedly because of his irregular visa status. In the same month the government shut down an Arabic language school and deported a French missionary working at that institution. Observers widely suspected the government used administrative reasons to deport those suspected of proselytizing.

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There were reports Christian orphanages were under increasing government pressure to reduce their capacity and cease accepting male orphans; the orphanages also found it more difficult to obtain foreign-based funding under new government restrictions.

During the year a senior Christian church official stated the government had refused visas and residence permits to individuals it thought would proselytize in public places.

There were reports government security services closely monitored mosques. The authorities imposed sanctions ranging from stern official warnings to arrest and detention of imams accused of making anti-government statements, inciting hatred, or espousing violent or takfiri ideology (a form of Salafism that brands as an apostate anyone who does not follow the Salafist interpretation of Islam). In May the security services released a member of the Association of Islamic Scholars they had arrested in 2012 for accusing the country's president of being an apostate from Islam.

Government officials continued to use Islamic rhetoric to support official policies. President Bashir and other senior figures frequently alluded to the Islamic identity of the country, noting the separation of South Sudan further entrenched the country's Islamic characteristics. The government announced the new constitution would draw heavily from Islamic law.

Unlike past years, there were no reports of blasphemy or defamation cases during the year.

Government officials stated future legislation would protect members of minority religious groups. In November the government invited Christian priests and civil society activists to Sudanese Initiative for Constitution Making (SICM) conferences. The participants discussed the historical protection of minority rights in constitutions across the world and advocated for inclusion of minority rights in the drafting of the forthcoming constitution.

During the year the government granted approval to the SCC to select six Christians to participate in the Higher Council for Peaceful Coexistence (HCPC), whose mission is to advance religious tolerance and promote the peaceful coexistence between Muslims and Christians. The HCPC met and engaged in outreach events throughout the year.

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Some Christian churches reported they were required to pay taxes on items such as vehicles, even though official government policy mandated tax-exempt status for religious institutions.

The government edited material published by religious institutions, and it continued to monitor all such publications. This censorship targeted criticisms of government officials or policies.

In April the MGSE announced the existing number of churches could accommodate the worshipers currently in Sudan, and therefore refused to issue licenses for new churches. This mandate formalized a de facto ban that had existed for well over a decade. Southern Sudanese Christians, who had requests for new churches pending, protested the decision.

In August a 35-year-old female civil engineer and women's rights activist was arrested on the outskirts of Khartoum for refusal to cover her hair in public after a police officer requested she do so. On November 4 she was charged with dressing indecently and immorally for refusing to cover her hair with a headscarf, based on the government's interpretation of Islamic law. On December 3 the court dropped the charges.

In October the IPSP issued a fatwa stating the proposed execution of the convicted murderers of a U.S. diplomat was not in accordance with Islamic law because, by the reasoning of the fatwa, it is not in accordance with sharia to exchange the life of a Muslim with that of an "infidel" (non-Muslim). At year's end only one of the four killers of the diplomat was in custody; another was believed killed in Somalia in 2011, and two remained at large.

Prisons provided space for Islamic prayer but no similar areas for Christian observance. Prison authorities, however, usually allowed Christian prisoners to pray while in prison and, in contrast to 2012, regularly allowed Christian ministers to hold services.

The government restricted foreigners from entering the country expressly for Christian missionary work. Some church officials reported the government refused work and travel visas to church employees of foreign origin. The MGSE said Christian missionaries had permission to engage in humanitarian activities and promote Muslim-Christian cooperation. Foreign Christian religious workers, however, experienced lengthy delays in obtaining entry visas.

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Although the interim constitution prohibits discrimination against candidates for the national civil service based on religion, some prominent ministries, such as the Ministry of Petroleum, requested information on religious affiliation on their employment applications.

Prominent Coptic Christian politicians held seats in the country's National Assembly and the Khartoum State Assembly and worked in Khartoum's city government. A Copt served as Vice-Chairman of the Human Rights Commission, a government body, while a Protestant held the politically significant post of State Minister of Water Resources and Electricity. In December a Copt was appointed a minister of state, the only Christian in the government cabinet.

The government did not always actively protect the rights of religious groups. For example, there was no legal remedy for Christians whom employers (either government or private sector) or school (public or private) authorities refused to excuse from work or classes for Sunday morning prayers, although the refusal was a clear violation of the law.

Section III. Status of Societal Respect for Religious Freedom

There were reports of societal abuses and discrimination based on religious affiliation, belief, or practice. Because of the overlap between ethnicity and religion, it was often difficult to differentiate between ethnic and religious intolerance.

Pressure from Muslim citizens and economic incentives, such as the perception of better employment prospects and higher education opportunities, reportedly pushed non-Muslims to convert to Islam. There were no reports of forced conversion.

There were also reports that some employers and private schools, predominantly Islamic ones, in contravention of the law, failed to allow Christian workers and students two hours off to pray on Sundays. As there was no legal remedy for those whose rights were violated, most Christians chose to worship on Fridays, Saturdays, or Sunday evenings.

A small, growing, and sometimes vocal minority of Salafist groups continued to be a concern to other Muslims and non-Muslims. The vocal groups increased their use of hostile rhetoric against other Muslims in social media and in university gatherings.

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Pro-government militias in South Kordofan reportedly used anti-Christian slogans, in addition to anti-Southerner and anti-African slogans.

In Khartoum Christian-owned businesses publicly displayed Christian religious icons.

Ongoing international tensions with predominantly Christian South Sudan were followed by sporadic instances of social conflict between Sudanese Muslims and Christians of South Sudanese origin residing in the country. This conflict consisted primarily of intimidation and harassment by the former of the latter.

Unlike in 2012 there were no reports of rioters targeting Christian religious establishments during periods of civil unrest.

Section IV. U.S. Government Policy

Embassy officials encouraged respect for religious freedom in discussions with the government and urged it to protect the rights of minority religious groups in its upcoming constitution. U.S. embassy representatives stressed respect for religious freedom was crucial to improved bilateral relations.

U.S. embassy officials underscored the importance of religious tolerance in regular meetings with leaders of Muslim and Christian groups. In August embassy officials highlighted the importance of religious tolerance at a lunch they hosted for Christian and Muslim religious figures, including imams from Salafist and Sufi mosques, among others. Embassy officials also kept in close contact with NGOs, civil society, and journalists to gather their perspectives on religious freedom.

Since 1999, the Secretary of State has designated Sudan a CPC under the IRFA for having engaged in or tolerated particularly severe violations of religious freedom. Consequently, the country remained ineligible for aid under Section 116 of the Foreign Assistance Act of 1961.