



LUNDS  
UNIVERSITET

# Freedom of Religion in Sudan

## Conditions for Freedom of Religion after the Comprehensive Peace Agreement

Jennika Landin

Human Rights  
Autumn 2009

Instructor: Doctor Dan-Erik Andersson

# Abstract

The purpose with this essay is to investigate if there are conditions for freedom of religion in Sudan after the Comprehensive Peace Agreement of 2005. My methodology is to investigate the question of religious liberty in Sudan on the basis of three social levels; state level, religious actors and individual level. I will use Cole Durham's comparative Model for analyzing religious liberty and apply it on Sudan. The theory contains of the four thresholds of minimal pluralism, economic stability, political legitimacy and respect for other beliefs. My research questions are based on answering what has been done on the three social levels in Sudan after 2005. The conclusion of the study is that there *are* conditions for freedom of religion in Sudan after the peace agreement. I also claim that the conditions are better now compared to the contiguous period before the CPA. Finally, I remark that there exists religious discrimination in the entire Sudanese society that has to be dealt with on the different levels.

**Key words:** Sudan, Freedom of religion, Comprehensive Peace Agreement, non-Muslims, Muslims.

# Content

- Abstract ..... 1
- Content ..... 2
- List of abbreviations..... 4
- 1 Introduction ..... 5
  - 1.1 Purpose & Research Questions ..... 6
  - 1.2 Structure ..... 6
  - 1.3 Methodology..... 7
  - 1.4 Theory..... 8
  - 1.5 Material..... 8
- 2 Obligations regarding Freedom of Religion..... 10
  - 2.1 Freedom of Religion / Religious Liberty ..... 10
  - 2.2 Sudan's obligations to protect freedom of religion ..... 10
- 3 Cole Durham's Theory ..... 12
  - 3.1 Minimal pluralism ..... 12
  - 3.2 Economic stability ..... 12
  - 3.3 Political legitimacy within the society ..... 12
  - 3.4 Religious respect for other religions ..... 13
- 4 Sudan - A historical background ..... 14
  - 4.1 Sudan 652-1955 ..... 14
  - 4.2 Young Independent Sudan 1956-1982 ..... 15
  - 4.3 Sharia and jihad 1983-2004 ..... 15
  - 4.4 CPA and the Interim Constitution 2005-2010..... 17
- 5 State level ..... 18
  - 5.1 Sudanese legislation & non-Muslims ..... 18
  - 5.2 Apostasy ..... 19
  - 5.3 Commission for the Protection of Non-Muslims ..... 19
- 6 Religious actors in Sudan ..... 21
  - 6.1 Religious peace building and inter-religious dialogues..... 21
- 7 Individual level ..... 23
  - 7.1 Christians in Khartoum ..... 23
  - 7.2 Alcohol brewing ..... 23
  - 7.3 Church building ..... 24
  - 7.4 Apostasy ..... 24
- 8 Applying Durham's thresholds ..... 25
  - 8.1 Minimal pluralism and respect for other beliefs..... 25
  - 8.2 Economic stability ..... 25
  - 8.3 Political legitimacy within the society ..... 26

|  |    |
|--|----|
| 8.4 Discussion of Durham's Model.....                            | 27 |
| 9 Conclusion.....  | 28 |
| 9.1 State level and freedom of religion after the CPA .....      | 28 |
| 9.2 Religious actors and freedom of religion after the CPA ..... | 29 |
| 9.3 Individuals and freedom of religion after the CPA.....       | 29 |
| 9.4 Conditions for freedom of religion .....                     | 30 |
| 9.5 Religious discrimination in the entire society .....         | 30 |
| 10 References .....  | 32 |

# List of abbreviations

|       |  |
|-------|--|
| CPA   | Comprehensive Peace Agreement                        |
| ICC   | International Criminal Court                         |
| ICCPR | International Covenant on Civil and Political Rights |
| IDP   | Internally Displaced Person                          |
| NCP   | National Congress Party                              |
| NGO   | Non-Governmental Organisation                        |
| NIF   | National Islamist Front                              |
| SONAD | Sudan Organisation for Non-Violence and Development  |
| UDHR  | Universal Declarations of Human Rights               |
| UN    | United Nations                                       |

# 1. Introduction

The conflict in Sudan has been going on for over a thousand years and has mainly been about religious oppositions between southern and northern Sudan. The African people in the south have developed a Christian and Anglophile identity while in north there is a majority of Arabs who generally are Muslims. Earlier governments have declared the major religion Islam as a state religion, and in 1983 sharia laws were introduced in the entire country which met opposition from the south. In 2005, the Comprehensive Peace Agreement (CPA) was finally established between the north and the south and gave rise to a new Interim-constitution. This declared that sharia laws were no longer allowed to apply on, the earlier vulnerable group, non-Muslims.

The conflict has, among other things, resulted in insults against freedom of religion which is one of the fundamental human rights. I believe that the right to religious liberty is a pressing issue which also relates to other important human rights freedoms such as freedom of thought, freedom of conscience, freedom of speech, freedom of assembly and freedom of association. The UN-charter does express that among the purposes of the United Nations is respect for human rights and the fundamental freedoms for everyone regardless of gender, language or *religion*. Since Sudan is a member of the UN they have a responsibility to guarantee and protect religious liberty. Freedom of religion can also be a key to stability and peace in Sudan and can help healing the wounds from the long war since belief and religion plays a key role in the average day life for most Sudanese. For individuals, freedom of religion is not primarily a legal or philosophical question. It is about the possibilities to practice and to be able to live in accordance with their belief. For these causes, I believe it is important to give attention to the question of religious liberty in Sudan.

Treated subjects in the study are changes in the legislation for non-Muslims, faith-based peace-building with focus on inter-religious dialogues, Christians in Khartoum and the question of apostasy. My sources are mainly secondary sources in the form of literature, field reports, reports and web sources. I also use some primary sources such as international declarations and Sudanese constitutions and legal documents.

## 1.1 Purpose and Research Questions

The purpose of my paper is to examine if there are conditions for Freedom of Religion in Sudan after the Comprehensive Peace Agreement of 2005.

The questions for the thesis are:

- \* What have been done on a state level to provide tolerance and freedom of religion after the Comprehensive Peace Agreement?
  
- \* What have been done by the religious actors for providing tolerance and freedom of religion after the Comprehensive Peace Agreement?
  
- \* Has the situation for individuals changed in relation to freedom of religion after the Comprehensive Peace Agreement?
  
- \* Are there conditions for freedom of religion in Sudan after the Comprehensive Peace Agreement?

While answering the third question I will only give examples of changing situations for two vulnerable groups in the Sudanese society; the Christian IDP minority in Sudan's capital Khartoum and ex-Muslims who have converted from Islam. The limitation is required since I do not have space for investigating the situation for all of the population in Sudan.

## 1.2 Structure

The first chapter will introduce my purpose and research questions, structure, methodology, theory and material. The second chapter will introduce the term *Freedom of religion* and will give a presentation of Sudan's obligations to provide freedom of religion as a state. In the third chapter I will introduce Cole Durham's theory and model for analyzing religious liberty. In the fourth chapter I will give a historical background of Sudan with a clear connection to religion and the long conflict. In the fifth chapter I will introduce some approvals in the Sudanese legislation and the establishment of a special commission that the Sudanese government has started after the CPA. The sixth chapter will give an account of changes from the religious actors in Sudan with a connection to inter-religious dialogues. Chapter seven's

content will be an investigation on individual level in form of a case study of IDP Christians in Khartoum and of ex-Muslims who have converted from Islam. In the eight chapter I will apply Durham's theory to the changes on the three social levels. The ninth chapter will consist of my conclusions and reflections and will be followed by the references in chapter ten.

### 1.3 Methodology

The methodology of my study has been to investigate the question of religious liberty in Sudan on the basis of three social levels; state level, religious actors and individual level. These classifications are inspired from the political science's classical division of a society in "the market, the civil society and the individual".<sup>1</sup> In my view the three levels give a good representation of the Sudanese society. Under the head line State level, I have described the initiatives that the Sudanese government has done in form of changed legislation for non-Muslims and the establishment of a special commission. The "civil society" in Sudan constitutes mostly of religious actors and therefore I have investigated their part of the changing society. My investigation on the individual level has been in the form of a case study of Christian IDP's situations in Khartoum and of ex-Muslims who have converted from Islam. These represent two vulnerable groups in the Sudanese society.

The main subjects in my study are changes in the legislation for non-Muslims, faith-based peace-building with focus on inter-religious dialogues, Christians in Khartoum and the question of apostasy. The examples I have given in my paper are of course of great importance for the overall picture. I have tried to hold that in mind when selecting what to focus on. Since Sudan has Islam as a dominant religion and has a history of discriminating non-Muslims,<sup>2</sup> my general focus has been on non-Muslims and on their situation. However, I am fully aware that there exists discrimination against Muslims as well, especially in southern Sudan where Christians are in majority.<sup>3</sup>

---

1 See for example: Esaisson, Peter m fl., 2007. *Metodpraktikan : Konsten att studera samhälle, individ och marknad*. Stockholm, Norstedts Juridik AB.

2 Rone, Jemera, 1996. *Behind the red line: political repression in Sudan*. United States of America, Human Rights Watch/Africa. p.193

3 UNHCR, 2009. "State of the World's Minorities and Indigenous Peoples 2009 – Sudan"  
<http://www.unhcr.org/refworld/country,,MRGI,,SDN,456d621e2,4a66d9a532,0.html>



## 1.4 Theory

Professor Durham has developed a comparing theory and model for analyzing religious liberty. It consists of the four thresholds of minimal pluralism, economical stability, political legitimacy and respect for other beliefs. In my study I have applied this model on the case of Sudan with help on the basis of my discoveries from the three social levels. Under chapter eight I have a longer discussion about the theory and my conclusions from it.

## 1.5 Material

The material is of great importance for the study as overall picture and plays a significant part for the content of the study. Several researchers have written about religious liberty in Sudan. As an Islamic state with a practiced sharia law it goes under the same category as most states in the middle-east. What makes my study unique is that I write about the subject *after* the peace agreement of 2005. It has been a bit problematic though, finding reliable material from the period 2005-2010. I will introduce my choice of material in the order of my paper. When defining freedom of religion and describing Sudan's obligations to protect religious liberty I have used relevant international declarations as primary sources and literature by the researchers Gunner & Namli and Boyle & Sheen. For the theory I have used Cole Durham's article "Perspectives on Religious Liberty: A comparative Framework" as only source, I will discuss my thoughts about this article in chapter eight. I have mainly based the historical background and information on literature by the authors; de Waal, Aharon & Warbung, Gardell, Furubrant, Jemera and Ojore. Much of their history telling have complemented each others and since they all are established researchers or respected authors I value the information's reliability as high.

For the parts about the state level, the religious actors and the individual level I have used a number of different sources. Primary sources will be the Sudanese Interim-constitution and legal documents. For explanations about the Sudanese legal system I have used material from Aharon & Warbung, two researchers on Islamic law. For recent data, the main information comes from the websites [www.un.org](http://www.un.org), [www.imf.org](http://www.imf.org), [www.looklex.com](http://www.looklex.com) and from news articles. Two important sources that have helped me given an idea about the situation for individuals and religious actors come from two field-reports by established researchers. Roald

and Tonnessen are two researchers which are affiliated to the Norwegian research centre CMI. I have also had e-mail contact with Tonnessen and appraise that her knowledge is trustworthy. The other pair of researchers is Mans and Osman Ali. They are affiliated to the Netherlands Institute of International Relations and have written a lot on the subject of faith-based peace building. I have also used a report by Professor Ellen Davis and one by Newton and Pontifex which was written for the organization *Aid to the church in Need*. Two of my books are also large reports from the organization Human Rights Watch which I find have a good reputation and trustworthiness. These reports and especially the pair of researchers find the conclusion, which I share, that it do not exist religious liberty in Sudan but that the conditions for it has improved as a result of the CPA. I am aware of that much of my conclusions have been drawn from material gathered from other researchers. Most of all I would have preferred to do field studies in Khartoum before this paper, especially regarding the chapter about the religious actors and individual level. Now I have had to rely on interviews done by the mentioned researchers and their field studies. I have also, due to the limited size of this paper, had to limit my selection of material. Therefore one can criticize my selection because I have surely left out some interesting aspects. I have used my material to try to answer my research questions.

## 2 Obligations regarding freedom of religion

### 2.1 Freedom of Religion / Religious Liberty

In my paper I will use the expressions *freedom of religion* and *religious liberty* as two equivalent synonyms. The international system for human rights has avoided defining *religion* in correlation with *freedom of religion*.<sup>4</sup> However, in the General Comment Number 22 for the ICCPR, the UN committee for human rights interprets the meaning of *religion* and *belief* in a broad meaning: “*theistic, non-theistic and atheistic beliefs, as well as the right not to profess any religion or belief*”.<sup>5</sup> In the UN charter, the UDHR and in the ICCPR, religious liberty comprises the rights of the individual, collective rights and rights for religious groups and minorities. This includes freedom of thought, freedom of conscience, freedom of religion and freedom of belief. It declares both freedom *from* religion and freedom *to* religion. It says that freedom of *belief* is an absolute religious liberty while *practice* can be restricted to a certain level within national law.<sup>6</sup>

### 2.2 Sudan's obligations to protect freedom of religion

Sudan became a member in the United Nations in 1956.<sup>7</sup> The UN-charter expresses that among the purposes with the organization is respect for human rights and the fundamental freedoms for everyone without difference considering gender, language or *religion*.<sup>8</sup> Essential for the freedom of religion is also UDHR's article 18 which proclaims that everyone has the right to freedom of thought, conscience, and religion.<sup>9</sup> Since UDHR is not a legally binding

---

4 Gunner, Göran & Namli, Elena (red.), 2005. *Allas värde och lika rätt : Perspektiv på mänskliga rättigheter*. Lund, Studentlitteratur AB. p.207

5 Boyle, Kevin & Sheen, Juliet, 1997. *Freedom of religion and belief – A world report*. Padstow, Cornwall, TJ International (Padstow) Ltd. p.xx

6 Gunner & Namli, 2005. pp. 207-208

7 UN. "Member States of United Nations". <http://www.un.org/en/members/index.shtml#s>.

8 Charter of the United Nations, 1945. Article 1.3, 13.1, 55c, 76c

9 The Universal Declaration of Human Rights, 1948. Article 18

document, the same content is expressed in ICCPR's article 18 which Sudan ratified in 1986.<sup>10</sup> The same year Sudan also ratified the African Charter which contents an obligation to protect freedom of religion.<sup>11</sup> Another important document for freedom of religion is the 1981 Declaration on the Elimination of All Forms of Intolerance and of Discrimination Based on Religion or Belief which gather the content of the former declarations. Gunner also expresses that the declaration can be regarded as international customary law.<sup>12</sup> Hereby we can establish that Sudan has legal obligations in international law to respect and protect freedom of religion. I will in chapter five give examples on how the Sudanese government has implemented this in the national legislation and that which is insufficient in their legislation.

---

10 International Covenant on Civil and Political Rights, 1966

United Nations Treaty Collection. "International Covenant on Civil and Political Rights"

[http://treaties.un.org/Pages/ViewDetails.aspx?src=TREATY&mtdsg\\_no=IV-4&chapter=4&lang=en](http://treaties.un.org/Pages/ViewDetails.aspx?src=TREATY&mtdsg_no=IV-4&chapter=4&lang=en)

11 African charter on Human and People's rights, 1981. Article 2, 8

African Union. "List of countries which have signed, ratified/acceded to the African union convention on African charter on Human and People's rights".

[http://www.achpr.org/english/ratifications/ratification\\_african%20charter.pdf](http://www.achpr.org/english/ratifications/ratification_african%20charter.pdf).

12 Gunner & Namli, 2005. p. 199, 201

## 3 Cole Durham's Theory

Professor Cole Durham has developed a comparative theory and model for analyzing religious liberty. The theory explains what is needed in a state to guarantee and protect freedom of religion. According to him there are four threshold conditions that must *be met* or must *meet some threshold of* before freedom of religion can emerge. The four principles are: minimal pluralism, economic stability, political legitimacy and religious respect for rights of those with differing beliefs.<sup>13</sup>

### 3.1 Minimal pluralism

Durham explains that until some measure of differences in belief systems emerge in a society, the question of religious freedom does not arise. When a society has several religions there has to be a cultural *seeing* of other religions. If not, religious liberty can not be achieved.<sup>14</sup>

### 3.2 Economic stability

According to Durham, religious liberty often has lower priority than meeting basic economic needs in dire necessity. However, religious liberty *can* exist in poor countries and for that reason he points out that this threshold is not very high. Still, Durham remarks that there is a clear correlation between the economic stability and effective religious liberty protection.<sup>15</sup>

### 3.3 Political legitimacy within the society

Durham claims that since religion can be a powerful legitimizing force in a state, the likelihood to achieve freedom of religion is reduced to the exception that a regime's political

---

13 Durham, W. Cole, 1996. "Perspectives on Religious Liberty: A Comparative framework" found in: van der Vyver, Johan D. & Witte, John Jr. (eds.) *Religious Human Rights in Global Perspective Legal Perspectives*. The Hague, The Netherlands, Kluwer Law International & Martinus Nijhoff Publishers. pp. 11-14

14 Durham, 1996. p.13

15 Durham, 1996. p.14

legitimacy is weak. And a weak regime is likely to exploit the legitimizing power of a dominant religion.<sup>16</sup>

### 3.4 Religious respect for other religions

This threshold means that there must be some willingness to respect different religious groups and their followers and that there has to exist a willingness to live with each other. If there is a dominant religious group it has to be prepared to tolerate other religious groups or non-religious groups.<sup>17</sup>

---

<sup>16</sup> Durham, 1996. p.14

<sup>17</sup> Durham, 1996. p.14

## 4 Sudan - A historical background

Sudan is the largest country in Africa and has a population of 41.1 million inhabitants which constitute a blend of different ethnical, cultural and religious groups.<sup>18</sup> The major religion is Islam and the country was declared as an Islamic state in 1983, but the country does as well have adherents of Christianity and indigenous religions. The African people in the south have developed a Christian and Anglophile identity while in north there is a majority of Arabs who generally are Muslims.<sup>19</sup> Sudan had until year 2005 the world's longest and most protracted conflict in history and the Sudanese state has been politically unstable for over 200 years.<sup>20</sup> The main reasons for the conflict is often referred to as religious (Christians - Muslims) and racial (Africans - Arabs) oppositions. However, it is important to remark that the conflict has also has been about political, historical, cultural, social and economic development issues and that these aspects are linked to each other.<sup>21</sup> Because of the aim of my article I will focus on the religious/racial and political diversities in the historical background. I will divide the chapter in four parts. The first period will consider the early history from year 652 – 1955. The second part will introduce the young Independent Sudan 1956-1982, the third part will focus on Sudan between 1983-2004 and the fourth part will introduce the period after the Comprehensive Peace Agreement, 2005-2010.

### 4.1 Sudan 652-1955

The conflict in Sudan dates back to the 7<sup>th</sup> century AD and is linked to the beginning process of Arabization and Islamization. In year 652 a Muslim army from Egypt took control over the Christian area in Nubia. Soon after, the Arabs took local Africans as their slaves and Arabic became the lingua franca.<sup>22</sup> The slave trade with Africans has been one of the roots of the

---

18 Ojore Otieno , Ajoys, 2008. *Peace Building in Eastern Africa: The Case of Sudan*. Chicago, De Paul University [www.tangaza.org/.../depaul/De%20Paul%20Lecture%20One.doc](http://www.tangaza.org/.../depaul/De%20Paul%20Lecture%20One.doc) p.4,

Kjeilen, Tore. Looklex Encyclopaedia. "Sudan: Demography". <http://looklex.com/e.o/sudan.htm>

19 Gardell, Carl Johan, 2005. *Sudan: Fred eller statskollaps?* Stockholm, Elanders Gotab. p.8-11, Ojore Otieno, 2008. p.16

20 de Waal, Alex, 1990. *War in Sudan: An Analysis of Conflict*. London, Peace in Sudan Group. p.3,10

21 Ojore Otieno, 2008. p.5

22 Ojore Otieno, 2008. p.4, Kjeilen, Tore. "Sudan: Religion, History"

clash of opinions between Arabs and Africans and therefore later between Muslims and Christians.<sup>23</sup> It was during the Mahdi Period (1881-1898) that the link between religion and politics were solidified when mass-enslavement and exportation of southerners were combined with imposing Islam and Arabic on the locals. When the British arrived to Sudan in the late nineteenth century, it gave hope for a possible change for the fighting people living in the south. However, when the Anglo-Egyptian Rule took over the power in 1898, the British divided Sudan administratively into the North and the South. Development-projects were being concentrated to the north leaving the south under-developed and left the people gravely disappointed.<sup>24</sup> It was during this time that Christian mission organizations started to evangelist in the southern part of Sudan and thus English became the lingua franca in this area. Christianity was considered a unifying and mobilizing resistance ideology.<sup>25</sup>

## 4.2 Young Independent Sudan 1956-1982

Sudan achieved independence from Great Britain on January 1<sup>st</sup> 1956. Thereafter followed two years of conflicts and disturbance until general Abboud came to power in a military-coup in 1958. Abboud sharpened the oppression against the southern Sudanese and ejected the Christian missionaries and burned the local's churches. This triggered a strong weapon resistance and Abboud and his junta was forced to resign in 1964. The war kept continuing and in 1969 the military under General Gaafar Numayri took the power in a new *coup d'état*. Numayri became president in 1971 and one year later a peace-agreement with the south was signed, an agreement that led to country peace for eleven years.<sup>26</sup>

## 4.3 Sharia and Jihad 1983-2004

Numayri, as President, started a progressive reformation to a more radicalized Islam in Sudan and in September 1983 he introduced sharia-laws as the sole law in the entire country. It

---

23 Gardell, 2005. p.9, 14. Ojore Otieno, 2008. pp.5-8

24 Ojore Otieno, 2008. pp.7, 9-10

25 Gardell, 2005. p.9, 14

26 Furubrant, Kerstin, 2008. *Länder i fickformat. 301, Sudan*. Stockholm, Utrikespolitiska Institutet. pp.13-14, Gardell, 2005. pp.22-24



entailed the implementation of the Qur'anic punishments (hudud) and retribution (qisas).<sup>27</sup> As this happened, the southerners formed a new armed resistance, the Sudan People's Liberation Army, with John Garang as Christian leader. Civil war was once again a fact.<sup>28</sup> The organization has since 1983 advocated abolition of the sharia.<sup>29</sup> In April 1985 a new military-coup took place and between 1986 and 1989 the country had a parliamentary government with Sadiq al-Mahdi as prime minister. But the war still continued and in 1989, al-Mahdi was overthrown by the management of colonel Omar al-Bashir and Hasan al-Turabi of which the latter was the leader of the Muslim Brotherhood.<sup>30</sup> The new regime declared a Jihad, a holy war, on southern Sudan and openly determined to transform Sudan into an Islamic state with “one language, Arabic, and one religion, Islam” as watchword.<sup>31</sup> In 1993, Bashir and Turabi created the National Islamic Front (NIF) which derives from the Muslim Brotherhood. The same year Bashir became president and Turabi prime minister in Sudan. In 1996 the government held open elections for the parliament which was boycotted by the opposition. Bashir was however still elected to continue his leadership for five more years. During this period disputes between Turabi and Bashir arose and in 1999 Omar al-Bashir won the struggle for power.<sup>32</sup> He therefore disbanded the parliament, changed the name NIF to the National Congress Party (NCP) in which he himself took over the presidency. In 2000 Bashir again won the president election, even though the opposition boycotted this election as well and even though it was generally considered as manipulated. The Sudanese government during Bashir's leadership has been repeatedly criticized by the international community for committing serious abuses against human rights.<sup>33</sup> Within religious liberty the accusations mainly involves the building of churches, alcohol prohibition, the question of apostasy, abuses of freedom of press, forcible conversion of parishioners to Islam etcetera<sup>34</sup> On new years eve in 2004 the Khartoum-regime and the leaders of the resistance movement

---

27 Layish, Aharon & Warbung, Gabriel R, 2002. *The Reinstatement of Islamic Law in Sudan under Numayri. An Evaluation of a Legal Experiment in the Light of its historical Context, Methodology, and Repercussions.* Leiden, The Netherlands. Koninklijke Brill NV. p.1, 30

28 Furubrant, 2008. p.14

29 Roald, Anne Sofie & Tonnessen Liv, 2007. “Discrimination in the Name of Religious Freedom: The Rights of Women and Non-Muslims after the Comprehensive Peace Agreement in Sudan.” CHR. Michelsen Institute, Bergen Norway, May 2007. p.4

30 Gardell, 2005. pp. 24-25

31 Rone, Jemera, 1996. p.196, 204

32 Furubrant, 2008. pp.15-16

33 Human Rights Watch, 2001: *Protectors or Pretenders? Government Human Rights Commissions in Africa* United States of America: Human Rights Watch. p.41, Furubrant, 2008. p.16

34 Roald & Tonnessen, 2007. p.14, Human Rights Watch, 2009. "It's an Everyday Battle". (18.02.09)  
<http://www.hrw.org/en/node/80840/section/8>

signed a permanent fire stop-agreement after 30 months of negotiations. The final peace agreement, CPA, was signed on January 9<sup>th</sup> 2005.<sup>35</sup>

#### 4.4 CPA and Interim Constitution 2005-2010

In accordance with the Comprehensive Peace Agreement, a new Interim constitution was gone into force in July 2005. It declares that Sudan is a federation with northern and southern Sudan as two autonomies. The South of Sudan has formed an Interim government known as the Government of Southern Sudan. It has its own parliament and the President Salva Kiir is also the Vice President in Sudan. The interim period will last until 2011 when there will be a referendum in the South to decide whether to remain part of a united Sudan or to opt for total separation from the north. The Khartoum government is for union while the south generally speaking is for a separation.<sup>36</sup>

---

<sup>35</sup> Gardell, 2005. p.28

<sup>36</sup> Furubrant, 2008. p.8, Ojore Otieno, 2008. p.19

## 5 State level

To investigate the question of tolerance and religious liberty on state level I am going to focus on changes in the legislation regarding the question of sharia (Islamic law) and non-Muslims and the question of apostasy. I am also going to introduce a political initiative in form of a special commission to counteract religious discrimination.

### 5.1 Sudanese legislation & non-Muslims

Until 1983 the Sudanese legal system was a mixture of customary law, sharia law, the religious laws of various confessional groups and English common law.<sup>37</sup> After Numeiry's laws, sharia became the sole source in the country. Islamist legislation makes a distinction between Muslims and non-Muslims. It also makes a distinction between non-Muslims and dhimmis.<sup>38</sup> Dhimmi is a term in Islam which means that "People of the book", *videlicet* Jewish and Christians always has been regarded as a protected people.<sup>39</sup> Since non-Muslims in the south consists of mostly Christians, that area has been exempted from parts of the sharia-laws since the introducing in 1983. However, non-Muslim southerners who have been living in the north have still been subject to its provisions.<sup>40</sup> The Interim Constitution from 2005 exempts *all* non-Muslims from the sharia altogether.<sup>41</sup>

Another problem in the legislation has been that beliefs have not explicitly been equivalent with religion.<sup>42</sup> This has excluded the traditional African beliefs from a covering legislation. The new legislation does however widen the term dhimmi to include adherents of other beliefs and religions than the traditional ones. Roald and Tonnessen remarks that whether non-Muslims' rights in Islam are in alignment with international standards depends on who is interpreting the sharia.<sup>43</sup>

---

37 Boyle & Sheen, 1997. p.73

38 Layish & Warbung, 2002. p.261

39 Roald & Tonnessen, 2007. p.6

40 Boyle & Sheen, 1997. p.73

41 Interim National Constitution of the Republic of the Sudan, 2005. Article 5

42 Constitution of the Republic of Sudan, 1998. Article 21

43 Roald & Tonnessen, 2007. p.vi, 8

## 5.2 Apostasy

Apostasy means rejection of the religion Islam either by action or by word. The Sudanese Criminal Act of 1991 prohibits apostasy from Islam and the judgment for the offence is execution.<sup>44</sup> In 1985, a religious Muslim leader named Mahmoud Mohamed Taha was convicted of apostasy and was executed the same year.<sup>45</sup> This law has not yet been changed with reference to that it has not been used since Taha was judged.<sup>46</sup> Still, the prohibition and its punishment clearly contradict the International legislation in ICCPR's article 18 which expresses: *"no one shall be subject to coercion which would impair his freedom to have or to adopt a religion or a belief of his choice"*.<sup>47</sup>

## 5.3 Commission for the Protection of Non-Muslims

The Comprehensive Peace Agreement mandated the creation of the Commission for the Protection of Non-Muslims in the National Capital. The aim is to ensure the rights of non-Muslims in accordance with the CPA and the constitution, especially with reference to the sharia-laws and to provide forums for dialogues on religious freedom matters.<sup>48</sup> The commission, which was established in 2007, has been criticized because the assembly consists of more Muslims than non-Muslims and because some of them are regarded to be conservative in their interpretation of sharia. Critics means that little progress has been made by the commission and individuals has witnessed about a commission that has not been able to help when needed. Therefore the trustworthiness for its work has generally been low among non-Muslims.<sup>49</sup> On the other hand, there has also been critic from Muslims in the south that would like to have a commission for Muslims rights in the southern Sudan and

---

44 Sudan Department of Justice; Criminal Act 1991. Chapter 13: 126

45 Boyle & Sheen, 1997. p.71, 73

46 Roald & Tonnessen, 2007. p.12

47 International Covenant on Civil and Political Rights, 1966.

48 Sudan Vision, 2006. "Formation of Commission for Rights of Non -Muslims in the National Capital Decree" In: Sudan Vision Daily. (17.02.06)

<http://www.sudanvisiondaily.com/modules.php?name=News&file=article&sid=18355>

49 Newton, John & Pontifex, John (eds.), 2008. "A Report on Christians oppressed for their Faith 2007/2008" Sutton, Surrey, Aid to the church in Need. p.90

[http://www.aidtochurch.org/pdf/Persecuted\\_&\\_Forgotton\\_comp.pdf](http://www.aidtochurch.org/pdf/Persecuted_&_Forgotton_comp.pdf), Tian, Simba, 2008. "In Sudan, Converts from Islam Struggle to Survive" In: Christian News Today Online [http://www.christiannewstoday.com/christian\\_news\\_report\\_228.html](http://www.christiannewstoday.com/christian_news_report_228.html), Roald & Tonnessen, 2007. p.14

which finds that the new constitution does not provide them equal protection as the non-Muslims.<sup>50</sup>

---

50 Roald & Tonnessen, 2007. p.8

## 6 Religious actors in Sudan

In Sudan, religious actors play a magnificent role in the civil society. Many churches work like NGOs and provide food and clothes to vulnerable groups and help building infrastructure.<sup>51</sup> Faith-based actors have a history in shaping the societal processes and the religious actors often enjoy large networks which easily can mobilize groups of people.<sup>52</sup>

While investigating the role of religious actors in connection with tolerance and religious liberty I will briefly introduce the term *religious peace-building* and then focus on *inter-religious dialogues*.

### 6.1 Religious peace building & inter-religious dialogues

Many recent academic papers describe religion as an important factor for peace-building during the conflict and especially in the post-conflict settings. This is often titled "Religious peace building" and concerns inter-religious dialogues, faith-based diplomacy, religion as a tool for peace building etcetera.<sup>53</sup> As I described in the former chapter the special commission is arranging forums for providing dialogues on religious freedoms matters. This is something that the religious actors have taken seriously and into their communions. The most intense debates are however being conducted within the religious traditions themselves, both with other religions and with their own diversities.<sup>54</sup> An example on a large inter-religious workshop in Sudan is "The Oslo Coalition for Freedom of Religion and Belief workshop" that was held in December 2005 in cooperation with the Norwegian Church Aid. Representatives from Christian and Muslims communions participated under the headline of "Islam as a comprehensive way of life". The aim was to discuss the rights for non-Muslims in Sudan and it involved the earlier mentioned questions of sharia, non-Muslims, dhimmis,

---

51 Davis, Ellen, 2007. "Report *this* from Sudan" (09.10.07) Common Ground News Service-Partners in Humanity. <http://www.commongroundnews.org/article.php?id=21871&lan=en&sid=1&sp=1&isNew=0>

52 Mans, Ulrich & Osman Ali, Osman Mohammed, 2006. "Stuck in Change. Faith-based Peace-building in Sudan's Transition" Netherlands Institute of International Relations "Clingendael" Conflict Research Unit, October 2006. p.viii

53 See for example: Hertzke, D. Allen, 2004. *Freeing God's children: The Unlikely Alliance for Global Human Rights*. Lanham : MD Rowman & Littlefield. Johnston, Douglas, 2003. *Faith-based Diplomacy. Triumphing Realpolitik*. New York, Oxford University Press. Coward, G. Harold, Smith, S. Gordon (eds.), 2004. *Religion and Peacebuilding*. Albany, State University of New York Press.

54 Davis, Ellen, 2007., Roald & Tonnessen, 2007. p.2

apostasy etcetera.<sup>55</sup> According to Davis and Mans & Osman Ali there has been a national trend towards more active involvement by religious actors in Sudan's development the last years.<sup>56</sup>

---

55 Roald & Tonnessen, 2007. p.2

56 Davis, Ellen, 2007., Mans & Osman Ali, 2006. p.viii

# 7 Individual level

Belief and religion plays a central role in the average day life for most Sudanese. For them, freedom of religion is not primarily a legal or philosophical question. It is about the possibilities to practice and to be able to live in accordance with their belief. According to Gardell, the predominately Sudanese people wants to live in peace and are prepared to work for it. While investigating the question of religious liberty on an individual level I will do this by giving a brief case study on IDP Christian's situation in Khartoum regarding the questions of alcohol brewing and building of churches after 2005. Then I will give examples on how the issue of apostasy can affect individuals because of the existing general strong view on "defectors".

## 7.1 Christians in Khartoum

Christians are a minority in Sudan and most of them live in the southern parts. However, there are also a great number of southern Christians living in Khartoum, the capital in northern Sudan. Many of them live as internal migrants because of the earlier civil wars. For southern Christians as a minority group in Khartoum, the main questions of oppression have regarded alcohol brewing, freedom of press, dressing problems and demolishing of church buildings due to that the communions do not get building permissions from the state. According to several researchers, many Christians still feel that they are excluded from the society and that they meet violence more often than Muslims.<sup>57</sup>

## 7.2 Alcohol brewing

Roald & Tonnessen shows in their field report from Khartoum that the case of Christian women selling wine was difficult before the CPA since it was forbidden according to the sharia-laws. After the new constitution, non-Muslims should not be able to be punished for these acts any longer.<sup>58</sup> However, in 2007 the researchers observed that the women's prison in Khartoum was filled with Christian women who had been brewing marisa, a beer which is

---

<sup>57</sup> Roald & Tonnessen, 2007. pp.13-14, Kjeilen, Tore. "Sudan: Religion". Gardell, 2005. p.11

<sup>58</sup> *A non-Muslim was subject to punishment for production of and trade of alcohol.*

Layish & Warbung, 2002. p.258, Roald & Tonnessen, 2007. p.11



considered as a cultural tradition in southern Sudan. The women witnessed that they were whipped up to 40 lashes as punishment by the police without any prior court cases.<sup>59</sup>

### 7.3 Church buildings

For a long time the right to build churches has been an essential issue for Christians in Khartoum. No Christian communions has received permits to be able to build or repair churches in Khartoum since 1969.<sup>60</sup> Therefore, several churchbuildings have been built without planning permissions and because of this the buildings have been partially destroyed. In 2008 the ministry for Planning and Public Property approved the erection of three church buildings near Khartoum.<sup>61</sup> This was an important step forward for the communions concerned.

### 7.4 Apostasy

As I described under the headline State level, apostasy is prohibited by law and it has not been revised with the explanation that no one has been punished for decades. In spite of this, there is an aspect of this legal question on the individual level which I believe is important to bring up. There are examples of Muslims who have been barred from their families, discarded from their Muslim religious contacts and been isolated from friends when abolishing Islam.<sup>62</sup> Warraq has written an often mentioned book in the question of apostasy where he explains that apostasy is often regarded as a betrayal of the community of which he/she owed loyalty.<sup>63</sup> There have also been cases where converters have lost their jobs because of their apostasy. Another serious discrimination seems to be that "defectors" have been harassed and jailed by the police for "disrespecting Islam", even though there is no such legal crime.<sup>64</sup> Deficient legal security is a serious problem both in the issue about apostasy and the one about alcohol brewing.

---

59 Tonnessen, Liv, 2009. E-mail contact regarding CPA. (09.11.09)

60 Boyle & Sheen, 1997. p.74

61 Newton & Pontifex (eds.), 2008. p.90

62 Tian, Simba, 2008. "In Sudan, Converts from Islam Struggle to Survive" In: Christian News Today Online [http://www.christiannewstoday.com/christian\\_news\\_report\\_228.html](http://www.christiannewstoday.com/christian_news_report_228.html)

63 Warraq, Avlbn, 2003. *Leaving Islam: apostates speak out*. New York, Prometheus Books.

64 Tian, Simba, 2008.

# 8 Applying Durham's thresholds

In this chapter I will try to apply Durham's theory, which I presented in chapter three, on the basis of the information about Sudan which has been introduced in chapter 4-7. I will also need to introduce some new information about Sudan's economical and political situation to be able to use Durham's four thresholds. As far as I am concerned, the threshold of minimal pluralism and respect for other beliefs are closely connected with each other in Sudan's case and therefore I will treat them under the same headline. Thereafter I will introduce the threshold of economic stability and then political legitimacy. I will thereafter discuss a small discovery regarding religious- and political oppression and then finish the chapter with a discussion about Durham's model and thresholds.

## 8.1 Minimal pluralism and respect for other beliefs

Sudan is, as I have mentioned earlier, a multi-ethnic and a multi-religious country. Under the head line State level I have given a presentation of changes in legislation to strengthen the rights for adherents of other beliefs and religions than Islam. I have also introduced the governmental Commission that works for the protection of non-Muslims. Further I have introduced the initiative to inter-religious dialogues from the religious actors in Sudan. I believe that this shows that it exists a minimal pluralism and willingness for other beliefs in the Sudanese society. Still, there is also the aspect of the interviewed Christian's in Khartoum that felt excluded and feared violence because of their religion. I believe that freedom of religion can not be fully realized in a society as long as one group feels inhibited in expressing its religious beliefs. It can be difficult though to measure and know that no group any longer feels inhibited. However, in Sudan, this is not yet a problem. It remains a lot of work in all of the society until these two thresholds are not a pressing issue to discuss and deal with.

## 8.2 Economic stability

Regarding Durham's threshold of economic stability, Sudan is an interesting country to investigate since the country has been one of Africa's poorest countries for a long time. A great improvement of the economy began in the 1990s when extracting of the huge access of oil began. Since the mid-1990s the IMF has also helped the government of Sudan to reestablish

macroeconomic and financial stability by liberalizing the exchange system, improving the transparency and adopting bank sector reforms. The yearly income has been good since 1997 but Sudan has a heavy debt burden that affect the economy negatively.<sup>65</sup> Still, I do the estimation that Sudan has the economic stability which is required to be able to provide religious freedom. This threshold was according to Durham the least important for religious liberty and I would like to agree on that regarding Sudan's situation. Fulfilling religious liberty in Sudan is not so much an economical issue. It is today more a question about that the state should not interfere in the religious society, videlicet protect "negative" rights.<sup>66</sup>

### 8.3 Political legitimacy

As I have described, Sudan has had al-Bashir as their political leader since 1989 and all the elections so far has been criticized and boycotted by the opposition. Originally, there would have been a new Presidential election in 2005. This was however postponed until July 2009 due to the peace negotiations.<sup>67</sup> The election has after that been postponed until February 2010 and then again until April 11<sup>th</sup> 2010. The reason for this is officially that there has not been enough time to count all the entitled to vote in Sudan.<sup>68</sup> President Bashir is also from March 2009 charged for crimes against humanity and genocide by the ICC as the first president ever in history.<sup>69</sup> This is a quite unique political situation which I believe shows that the political legitimacy and especially Bashir's legitimacy as president is very weak.

One of the things I have discovered during my research is that it seems to be an accepted opinion among the religious actors that the political elites has misused religion, in this case Islam, for political gaining during a long time.<sup>70</sup> Members of the SONAD, an inter-religious dialogue group, presented for example their view that religion has been used to promote goals that are non-religious.<sup>71</sup> If we look back to Durham's explanation about political legitimacy we can read that *"a weak regime is likely to exploit the legitimizing power of a dominant*

---

65 Furubrant, 2008. p.28, International Monetary Fund, 2009. "Sudan" (06.06.09)

<https://www.imf.org/external/np/country/notes/sudan.htm>

66 *Negative rights are rights from certain things, in contrast with positive rights which are the rights to certain things.*

67 Furubrant, 2008. p.9

68 Sudan tribune, 2009. "Sudan announces slight delay to upcoming elections"(23.11.09)

<http://www.sudantribune.com/spip.php?article33220>

69 Koblanck, Anna, 2009. "Sudan protesterar mot att presidenten ska gripas" (04.03.09)

<http://www.dn.se/nyheter/varlden/sudan-protesterar-mot-att-presidenten-ska-gripas-1.813077>

70 Roald & Tonnessen, 2007 p. vi, 13, Newton, John & Pontifex, John (eds.), 2008. p.90

71 Roald & Tonnessen, 2007. p.13

*religion*".<sup>72</sup> Perhaps it is the case in Sudan that fundamental Islamism has been used as a tool to keep the political power and has therefore been used as a tool of religious oppression.

## 8.4 Discussion of Durham's Model

Durham expresses in the introduction to his theory that religious liberty needs some conditions in order to be guaranteed and protected. He also gives an impression of that his intention with the theory is to introduce, what he believes is, the lowest common denominator to reach religious liberty in sovereign states.<sup>73</sup> On that basis I believe his model works to explain some general thresholds for religious liberty because Durham's thresholds are good and relevant. Especially the one about respecting other religious beliefs which I will discuss more in the conclusion. My conviction is that the primary key to religious liberty is the willingness to tolerate those with differing beliefs.

In Sudan's case I am more sceptic about the threshold about economic stability and this is related to my opinion and conclusion that the political legitimacy is weak in the country. As the situation is now I believe it is important that the state do not interfere too much in religious contexts and this do not cost the state any money. Would there be a situation where the political legitimacy were strong and had a legible political willingness to invest in knowledge about other groups, the economy would have greater importance.

However, in Sudan's case I am missing one threshold which would give the threshold of economic stability a stronger function since it requires a governmental capital. The threshold I am missing is a well-functioning legal system with well-functioning laws, law enforcement agency and legal protection. This is components which I believe do not function very well in Sudan and which contributes to that the right to freedom of religion is violated.

---

<sup>72</sup> Durham, 1996. p.14

<sup>73</sup> Durham, 1996. pp.13-14

## 9 Conclusion

The purpose of my paper has been to examine if there are conditions for freedom of religion in Sudan after the Comprehensive Peace Agreement of 2005. I have investigated the question on the basis of three social levels which I believe cover in the Sudanese society. I have further tried to apply Cole Durham's model about what is needed in a state to provide religious liberty. My thoughts and conclusions regarding the theory have already been introduced in the former chapter but I will also mention it in relevant parts in this chapter. I will now summarize my answer of each of the research questions and then finish with a short discussion regarding religious discrimination in the entire Sudanese society.

### 9.1 State level and freedom of religion after the CPA

An important approval for religious liberty is that the legislation in Sudan now includes all non-Muslims in the legal texts regarding freedom of religion and that non-Muslims are exempted from the sharia laws. The Commission for the protection of non-Muslims in Khartoum seems like a good initiative but it is difficult to value how much impact the commission has had and will have in the future. The Human Rights Watch has clearly expressed that the human rights-approvals from the Sudanese state all are reactive and that they believe that the government only has introduced the changes as a direct response to international demands.<sup>74</sup> If we should believe the critical expressions about the commission this could, perhaps only be an inoperative gesture to win international approval. The prohibition of apostasy is problematic and shows that some changes remains in the legislation before Sudan fulfils their international undertakings. The question of the government's and the president's weak political legitimacy also remains. It is difficult to know the real aim for the approvals in the legislation regarding religious liberty with the present government. Even if it is, the laws have still been approved in some ways but it still remains to see if all the decided changes will be implemented in reality. According to Tonnessen and Mans & Osman Ali the law reviews are for the most part pending and the implementation of the CPA is regarded to be

---

<sup>74</sup> Human Rights Watch, 2001. p.42

implemented too slow.<sup>75</sup> This is of course a serious matter which could prolong the peace process.

## 9.2 Religious actors and freedom of religion after the CPA

The work by the religious actors in Sudan seems, to me, to be of great value for the society as such. It is agreeable that the communions promotes inter-religious dialogues and dialogues within their religions. I believe it shows that they want to take their responsibility in the peace-process and make the future Sudan a more tolerant society. It is one thing to change a law but something else to change attitudes regarding religions and cultures. Marks from the long civil wars are deeply rooted in people's memories and it is hopefully these pictures that the religious actors can help changing. It would be interesting to valuate if the faith-based peace-building work will have so much impact as the researchers believes it can have. It is also important that the religious actors understands the impact they have regarding peoples attitudes in daily life. This is, for example, very topical regarding the question of apostasy on an individual level.

## 9.3 Individuals and freedom of religion after the CPA

My delimitation was here to look at IDP Christians in Khartoum and ex-Muslims who had converted from Islam. Regarding the question of alcohol brewing, the change is that it is nowadays allowed for non-Muslims to brew alcohol. However, as long as the police do not act according to the new legislation it does not bring much of a changing situation for the affected individuals. The three permissions to build churches of course are of value for the affected people and perhaps that can be guiding for the government in the future. For ex-Muslims who have converted from Islam it is difficult to valuate if the situation has been better or not. Even if it has been easier to convert, their situation is in many cases filled of discrimination in several instances. This also relates to Durham's fourth threshold about the need for a willingness to respect other religious beliefs. An opinion which seems to be quite widespread is that the predominantly Sudanese people wants to live in peace and is prepared

---

<sup>75</sup> Mans & Osman Ali, 2007. p.47, Tonnessen, Liv, 2009.

to work for it.<sup>76</sup> This must be seen as a great access and I believe that the changes have to come from the people on a grass-root level. As long as big groups of people do feel mistrusted and oppressed by the government this will be a big obstacle for the religious liberty in Sudan.

## 9.4 Conditions for freedoms of religion

On the basis of the material I have acquainted myself with and on the basis of Durham's theory, my impression and conclusion is that there *are* conditions for freedom of religion in Sudan after the Comprehensive Peace Agreement of 2005. I would also claim that the conditions are better now compared to the contiguous period before the CPA. Here, I am mainly thinking of the period between 1983-2004, from the beginning of the introducing of the "Islamic state" and sharia-laws as the sole source. I base my conclusion foremost on the reinforced legislation for non-Muslims and on the initiatives from the religious actors to take responsibility for their part of the society. I believe that my paper has shown that there are changes in progress in Sudan which hopefully will continue to approve the human rights situation.

## 9.5 Religious discrimination in the entire society

Eidsvåg and Lindholm express that religion can be a powerful tool, not necessarily because of the religious belief itself but because some persons can use religion as a tool to gain power.<sup>77</sup> The religious oppression that has been created in Sudan can very well be about a political oppression from the political elite. However, on the basis of my research I believe that the question of religious discrimination goes deeper than just that on the political elite level. I believe that under my head lines of Apostasy it shows that the discrimination against these individuals is expressed on all the three mentioned social levels. The fact that apostasy is prohibited according to national law, even though it contradicts the ICCPR, is one form of institutional discrimination. Another is that the government does not do more for preventing that employers are not protected against notices on religious grounds.

---

76 Gardell, 2005. p.11

77, Eidsvåg, Inge, Lindholm, Tore, Sveen, Barbro, 2004. "The emergence of interfaith Dialogue: The Norwegian Experience" found in: Durham, W. Cole, Lindholm, Tore & Tahzib-Lie, Bahia G. (eds.). *Facilitating Freedom of Religion or Belief: A Deskbook*. Leiden, The Netherlands, Kononklijke Brill NV, Martinus Nijhoff Publishers. p.789

The problem by the religious actors regarding apostasy is that religious leaders in some cases have discarded the "defector" which also then affects the treatment on an individual level with the converters who become excluded by their families and friends. I would therefore say that there exists a religious discrimination in the whole Sudanese society that has to be dealt with on the different levels. The religious dialogues between Muslims and Christians is a good initiative but it is important that it will not stop at just talking. It has to be followed by creating a more inter-religious society in reality.<sup>78</sup> I believe that it is very important that the election 2010 is carried out to strengthen the political legitimacy. And also that the voting 2011 regarding South Sudan's independency is carried out so the country can build a future the way its citizens wants it.

---

<sup>78</sup> *Mans and Osman Ali are also expressing this believe.* Mans & Osman Ali, 2007. p.8



# 10 References

## Literature:

Boyle, Kevin & Sheen, Juliet, 1997. *Freedom of religion and belief – A world report*. Padstow, Cornwall, TJ International (Padstow) Ltd.

Coward, G. Harold, Smith, S. Gordon (eds.), 2004. *Religion and Peacebuilding*. Albany, State University of New York Press.

de Waal, Alex, 1990. *War in Sudan: An Analysis of Conflict*. London, Peace in Sudan Group.

Durham, W. Cole, 1996. "Perspectives on Religious Liberty: A Comparative framework" found in: van der Vyver, Johan D. & Witte, John Jr. (eds.) *Religious Human Rights in Global Perspective Legal Perspectives*. The Hague, The Netherlands, Kluwer Law International & Martinus Nihjoff Publishers.

Eidsvåg, Inge, Lindholm, Tore, Sveen, Barbro, 2004. "The emergence of interfaith Dialogue: The Norwegian Experience" found in: Durham, W. Cole, Lindholm, Tore & Tahzib-Lie, Bahia G. (eds.) *Facilitating Freedom of Religion or Belief: A Deskbook*. Leiden, The Netherlands, Kononklijke Brill NV, Martinus Nihjoff Publishers.

Esaïsson, Peter m fl, 2007. *Metodpraktikan : Konsten att studera samhälle, individ och marknad*. Stockholm, Norstedts Juridik AB.

Furubrant, Kerstin, 2008. *Länder i fickformat. 301, Sudan*. Stockholm, Utrikespolitiska Institutet.

Gardell, Carl Johan, 2005. *Sudan: Fred eller statskollaps?* Stockholm, Elanders Gotab.

Gunner, Göran & Namli, Elena (red.), 2005. *Allas värde och lika rätt : Perspektiv på mänskliga rättigheter*. Lund, Studentlitteratur AB.

Hertzke, D. Allen, 2004: *Freeing God's children: The Unlikely Alliance for Global Human Rights*. Lanham : MD Rowman & Littlefield.

Human Rights Watch, 2001: *Protectors or Pretenders? Government Human Rights Commissions in Africa* United States of America: Human Rights Watch

Johnston, Douglas, 2003. *Faith-based Diplomacy. Trumphing Realpolitik*. New York, Oxford University Press.

Layish, Aharon & Warbung, Gabriel R, 2002. *The Reinstatement of Islamic Law in Sudan under Numayri. An Evaluation of a Legal Experiment in the Light of its historical Context, Methodology, and Repercussions*. Leiden, The Netherlands. Koninklijke Brill NV.

Rone, Jemera, 1996. *Behind the red line: political repression in Sudan*. United States of America, Human Rights Watch/Africa.

Warraq, Avlbn, 2003. *Leaving Islam: apostates speak out*. New York, Prometheus Books.

## Documents:

African charter on Human and People's rights, 1981.

Charter of the United Nations, 1945.

Constitution of the Republic of Sudan, 1998.

Interim National Constitution of the Republic of the Sudan, 2005.

International Covenant on Civil and Political Rights, 1966.

Sudan Department of Justice; Criminal Act 1991.

The Universal Declaration of Human Rights, 1948.

## Reports:

Davis, Ellen, 2007. "Report *this* from Sudan" (09.10.07) Common Ground News Service-Partners in Humanity. <http://www.commongroundnews.org/article.php?id=21871&lan=en&sid=1&sp=1&isNew=0> retrieved 10 January 2010.

Human Rights Watch, 2009. "It's an Everyday Battle". (18.02.09) <http://www.hrw.org/en/node/80840/section/8> retrieved 10 January 2010.

Mans, Ulrich & Osman Ali, Osman Mohammed, 2006. "Stuck in Change. Faith-based Peace-building in Sudan's Transition" Netherlands Institute of International Relations "Clingendael" Conflict Research Unit, October 2006.

Newton, John & Pontifex, John (eds.), 2008. "A Report on Christians oppressed for their Faith 2007/2008"

Sutton, Surrey, Aid to the church in Need. [http://www.aidtochurch.org/pdf/Persecuted\\_&\\_Forgotton\\_comp.pdf](http://www.aidtochurch.org/pdf/Persecuted_&_Forgotton_comp.pdf) retrieved 10 January 2010.

Roald, Anne Sofie & Tonnessen Liv, 2007. "Discrimination in the Name of Religious Freedom: The Rights of Women and Non-Muslims after the Comprehensive Peace Agreement in Sudan." CHR. Michelsen Institute, CMI Report, Bergen Norway, May 2007.

## Internet:

African Union. "List of countries which have signed, ratified/acceded to the African union convention on African charter on Human and People's rights". [http://www.achpr.org/english/ratifications/ratification\\_african%20charter.pdf](http://www.achpr.org/english/ratifications/ratification_african%20charter.pdf) retrieved 5 January 2010.

International Monetary Fund, 2009. "Sudan" (06.06.09) <https://www.imf.org/external/np/country/notes/sudan.htm> retrieved 10 January 2010.

Kjeilen, Tore. Looklex Encyclopaedia. "Sudan" <http://looklex.com/e.o/sudan.htm> retrieved 5 January 2010.

Koblanck, Anna, 2009. "Sudan protesterar mot att presidenten ska gripas" In: *Dagens nyheter* (04.03.09)  
<http://www.dn.se/nyheter/varlden/sudan-protesterar-mot-att-presidenten-ska-gripas-1.813077> retrieved 10 January 2010.

Ojore Otieno, Ajoys, 2008. *Peace Building in Eastern Africa: The Case of Sudan*.  
Chicago, De Paul University. [www.tangaza.org/.../depaul/De%20Paul%20Lecture%20One.doc](http://www.tangaza.org/.../depaul/De%20Paul%20Lecture%20One.doc) retrieved 5 January 2010.

Sudan Tribune, 2009. "Sudan announces slight delay to upcoming elections" In: *Sudan tribune*. (23.11.09)  
<http://www.sudantribune.com/spip.php?article33220> retrieved 10 January 2010.

Sudan Vision, 2006. "Formation of Commission for Rights of Non -Muslims in the National Capital Decree" In:  
*Sudan Vision Daily* (17.02.06)  
<http://www.sudanvisiondaily.com/modules.php?name=News&file=article&sid=18355> retrieved 10 January 2010.

Tian, Simba, 2008. "In Sudan, Converts from Islam Struggle to Survive" In: *Christian News Today Online*  
[http://www.christiannewstoday.com/christian\\_news\\_report\\_228.html](http://www.christiannewstoday.com/christian_news_report_228.html) retrieved 10 January 2010.

UN, "Member States of United Nations" <http://www.un.org/en/members/index.shtml#s>. retrieved 5 January 2010.

UNHCR, 2009. "State of the World's Minorities and Indigenous Peoples 2009 – Sudan"  
<http://www.unhcr.org/refworld/country,,MRGI,,SDN,456d621e2,4a66d9a532,0.html> retrieved 10 January 2010.

United Nations Treaty Collection. "International Covenant on Civil and Political Rights".  
[http://treaties.un.org/Pages/ViewDetails.aspx?src=TREATY&mtdsg\\_no=IV-4&chapter=4&lang=en](http://treaties.un.org/Pages/ViewDetails.aspx?src=TREATY&mtdsg_no=IV-4&chapter=4&lang=en) retrieved 5 January 2010.

### Other:

Tonnessen, Liv, 2009. E-mail contact regarding CPA. (09.11.09)