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UNITED STATES COMMISSION ON  
INTERNATIONAL RELIGIOUS FREEDOM



## SUDAN

The government of Sudan commits egregious and systematic violations of freedom of religion or belief in the areas under its control, particularly against Christians, Muslims who do not follow the government's extreme interpretation of Islam, and followers of traditional African religions. Due to the ongoing, severe human rights violations committed by the government throughout much of the country, the Commission continues to recommend that Sudan be named a "country of particular concern," or CPC. The State Department has repeatedly adopted the Commission's recommendation that Sudan be designated a CPC.

In the past, the Commission has identified Sudan as the world's most violent abuser of the right to freedom of religion or belief and has drawn attention to the Sudanese government's genocidal atrocities against civilian populations. As a result of the government's policies of Islamization and Arabization, more than two million people were killed and four million driven from their homes in the North-South civil war from 1983 until January 2005. The civilian victims of that conflict were overwhelmingly Southern Christians and followers of traditional African religions in contrast to the Arabic-speaking Muslims dominant in Khartoum.

Since the signing of the Comprehensive Peace Agreement (CPA) on January 9, 2005, conditions for religious freedom have improved in the South and in the contested areas in central Sudan. The Commission continues to be seriously concerned, however, about severe human rights violations being committed by the Sudanese government in other regions of the country, including against both non-Muslims and Muslims who dissent from the government's interpretation of Islam, as well as in the western region of Darfur, where the State Department has determined that acts of genocide have taken place and may still be ongoing. Continued attention and monitoring by the United States and the international community are necessary to ensure that the terms of the CPA, particularly those relating to freedom of religion or belief and other universal human rights, are implemented fully.

The CPA followed and subsumed a series of partial and preliminary agreements addressing the relationship of state and religion, the national capital, power-sharing, wealth-sharing (i.e., of oil revenue), and security. The CPA affirmed the Machakos Protocol of July 2002, which estab-

lished a number of principles regarding freedom of religion or belief, and the Protocol on Power-Sharing of May 2004, which committed the parties to respecting a range of human rights. Moreover, the Protocol on Power-Sharing states explicitly that "The Republic of Sudan, including all levels of Government throughout the country, shall comply fully with its obligations under the international human rights treaties to which it is or becomes a party."

The CPA committed the parties to a number of interim measures for the governance of Sudan during a six-year Interim Period, to end in July 2011. According to the CPA:

- a referendum will be held at the end of the Interim Period to determine whether the South stays within a united Sudan or becomes independent;
- the 10 Southern states would be exempt from sharia (Islamic law), which, however, would continue to prevail in the North, and special provision would be made to protect the rights of non-Muslims in the national capital;
- the National Congress Party in power in Khartoum and the Sudan People's Liberation Movement/Army (SPLM/A) dominant in the South would form a Government of National Unity, with the SPLM/A having a minority share of offices; the SPLM/A would assume responsibility for the government of Southern Sudan;
- local autonomy would be granted to the contested areas of the Nuba Mountains and Southern Blue Nile State, which would, however, remain part of the North,

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and a special administration would be established in the oil-rich area of Abyei, whose boundaries would be determined by an independent commission; a popular referendum would determine whether Abyei continues

to have a special status in the North or becomes part of the South;

- elections for President of Sudan, President of Southern Sudan, the national legislature, state governors, and all state legislatures would be held “not later than the end of the fourth year of the Interim Period” (i.e. by July 2009); and
- constitutional arrangements for the Interim Period would be according to an Interim National Constitution and an Interim Constitution for Southern Sudan.

Since July 2005, Sudan’s current Government of National Unity has officially governed under the Interim National Constitution, which contains provisions guaranteeing universal human rights, including freedom of religion or belief. As of this writing, however, many of these provisions, including those advancing human rights, have yet to be fully implemented. To protest the National Congress Party’s apparent lack of commitment to CPA implementation, the SPLM/A suspended its participation in the Government of National Unity at the ministerial level for more than two months, from October 11 to December 27, 2007.

Last year, movement finally began on the constitutionally-required Commission on the Rights of Non-Muslims in the National Capital. In February 2007, a chairman was appointed, who later selected 28 commissioners

from the judiciary and the Ministry of Justice, as well as from among representatives of the Islamic, Christian, and other religious communities. The Commission has met once since that time. In August 2007, the Commission on the Rights of Non-Muslims reportedly approved plans for subcommittees, including one on religious education; however, no further efforts have been made. The National Human Rights Commission, called for in Sudan’s Interim Constitution, has yet to be created. In the now-autonomous South, the Interim Constitution of Southern Sudan, adopted in December 2005, separates religion and state and contains provisions for freedom of religion and for equality before the law regardless of religious belief. The Government of Southern Sudan has established a human rights commission for the South, as well as a special court to prosecute crimes committed for religious reasons, including crimes against members of the South’s Muslim minority.

In government-controlled areas of the North, the religious freedom and other human rights protections agreed to in the CPA and enshrined in Sudan’s Interim National Constitution have not yet resulted in significant changes to the government’s practice of enforcing its interpretation of Islam to the detriment of those holding other views. Muslims reportedly receive preferential access to limited government services and preferential treatment in court cases involving Muslims against non-Muslims. All Sudanese in the North, including Christians and followers of traditional African religions, are subject to sharia. Corporal punishments adopted from sharia are imposed on both non-Muslims and on Muslims who did not traditionally follow such practices. There is discrimination in granting governmental approvals required for the construction and use of places of worship. Although permits are routinely granted to build mosques, permission to build churches is often difficult to obtain. The State Department reports that since 2005 the government has issued three permits for new churches in the Khartoum area; permits for church construction were last issued in 1975. However, two of the permits were never formally received by the communities and Christian leaders remain skeptical that any actual construction will be permitted by government authorities. Churches built without such official permission by owners who register land for personal rather than church use exist at the authorities’ sufferance.

Church-owned properties that are legally recognized



A USCIRF delegation holds a meeting with residents of Camp Jebel Aulia, a refugee camp for internally displaced persons outside Khartoum. Here, Commissioner Cromartie and Senior Policy Analyst Steve Snow field questions from residents.

are nevertheless vulnerable to seizure in a legal atmosphere in which government action is not constrained by an independent judiciary. Prior to the establishment of the Government of National Unity, governments confiscated church property in the North and adequate compensation has yet to be provided. Reportedly, the National Unity government is pressuring some churches and other Christian facilities to move from central Khartoum to less prominent locations outside of the capital. In addition, for the first time since the signing of the CPA, there are reports that police disrupted a religious gathering. In January 2007, police raided the Episcopal Church of Sudan Diocese of Khartoum's New Year prayer service using tear gas, injuring six worshippers.

Public religious expression and persuasion of non-Muslims by Muslims is allowed, but that of Muslims by non-Muslims is forbidden. In May 2006, four Sudanese Christians, including an Episcopal priest, were detained following contact with a Muslim woman who may have been interested in converting to Christianity. As the woman was estranged from her family and in hiding, the police acted under cover of a "kidnapping" investigation. Although all the detained Christians were released after a few days, three of them reportedly had been beaten while in custody. The woman was returned to her family and no further legal action was taken.

Conversion from Islam is a crime legally punishable by death. In practice, suspected converts are subjected to intense scrutiny, intimidation, and sometimes torture by government security personnel who act with impunity. Converts to Christianity from Islam face societal pressures and harassment from the security services to the point that they typically cannot remain in Sudan. The law against apostasy is also of concern to Muslims; the last instance in which the death penalty was applied was to a Muslim reformer in 1985.

In contrast, government policies and societal pressure favor conversion to Islam. During the North-South civil war, some children from non-Muslim families who were captured and sold into slavery by pro-government militias were reportedly forced to convert. Reports continue of coerced conversion in government-controlled camps for internally displaced persons, as well as among prison inmates, Popular Defense Force trainees, and children in camps for vagrant minors. The government has also allegedly tolerated the use of humanitarian assistance to induce conversion to Islam. In government-controlled



Muslim leaders in Juba meet with the USCIRF delegation and officials from the U.S. Consulate.

areas, children who have been abandoned or whose parentage is unknown are considered by the government to be Muslims and may not be adopted by non-Muslims.

The government also harshly punishes those it claims are engaged in alleged "blasphemy." In November 2007, a British teacher was arrested for "abuse of religion" under sharia law for permitting her 7-year old students to name a teddy bear "Muhammed." In December, she was convicted of blasphemy, inciting religious hatred, showing contempt for religious beliefs, and insulting Islam. She was subsequently pardoned and immediately deported. The school at which the teacher worked, a 105-year old British international school with more than 700 students, suspended its operations for several months after the incident, out of fear of reprisals. Additionally, throughout 2007, the Government of National Unity continued to ban all independent reporting on the 2006 beheading by persons unknown of Mohamed Taha Mohamed Ahmed, the editor-in-chief of *Al-Wafaq*, who had been arrested and charged with blasphemy for publishing an article in 2005 claimed by some to be disrespectful of the Prophet Muhammed.

Although relative North-South peace has brought improvement in human rights conditions in the South and in the Nuba Mountains, in the western region of Darfur, government forces and "Janjaweed" soldiers (government-backed militias from Arab tribes) since 2003 have employed abusive tactics and brutal violence against African Muslim civilians, tactics similar to those



The temporary housing for internally displaced persons at Camp Jebel Aulia.

used previously against non-Muslim Africans during the North-South civil war. Serious human rights abuses have included aerial bombardment of civilians, forced starvation as the result of deliberate denial of international humanitarian assistance, and the forcible displacement of civilian populations.

To date, efforts by the international community to protect Darfur's civilian population have been wholly inadequate. Throughout 2007, Khartoum successfully delayed the full deployment of a joint UN-African Union (AU) peacekeeping force, as mandated by the UN Security Council, by imposing different limitations on the composition and independence of the forces. On January 1, 2008 the joint UN-AU force took over from the AU force; however, only one-third of the promised 26,000 soldiers and police officers have been deployed. With villages destroyed and lives at risk from further attack by government-supported Arab militiamen, many civilians remain in camps, unable to return home to raise crops and thus end their dependence upon international humanitarian assistance.

The perpetrators of these crimes, both members of the Sudanese armed forces and allied militias, have acted with impunity. In May 2007, the International Criminal Court (ICC) issued warrants for crimes against humanity and war crimes against Minister of State for Humanitarian Affairs Ahmad Harun and Janjaweed commander Ali Muhammad Ali Abd-Al-Rahman (also known as Ali Kushayb). Khartoum has refused to hand the two men over, claiming there is no evidence against them and that the ICC has no jurisdiction in Sudan. In September 2007, Harun, the former State Minister for the Interior in charge

of the "Darfur Security Desk," was appointed co-president of the national committee charged with investigating human rights violations in Darfur. Kushayb was reportedly imprisoned in November 2006 on "suspicion of violating Sudanese law" for acts committed in south and west Darfur; however, Amnesty International reported witnesses having seen him move freely in Darfur under police protection. On October 1, 2007, he was reportedly released from custody. This lack of accountability and the persistent use of such methods by the government of Sudan raise serious questions about the government's commitment to abide by the terms of the CPA.

Actions resulting in mass killings by the government of Sudan against its own citizens have been repeatedly condemned as genocide. In the Sudan Peace Act of 2002, Congress found that the Sudanese government had committed acts of genocide during the civil war. By concurrent resolution in July 2004, Congress found the atrocities being committed in Darfur to constitute genocide. In congressional testimony delivered in September 2004, then-Secretary of State Colin L. Powell announced that the State Department "had concluded that genocide has been committed in Darfur and that the government of Sudan and the Janjaweed bear responsibility—and genocide may still be continuing." In a statement issued by the White House the same day, President Bush urged the international community to work with the United States to



Commissioner Cromartie and staff David Dettoni and Steve Snow meet with Cardinal Gabriel Zubeir, Roman Catholic Archbishop of Khartoum.

prevent and suppress acts of genocide in Darfur. In April 2007, in an address announcing new sanctions against Sudan and individuals responsible for the violence in Darfur, President Bush once again referred to actions in Darfur as genocide.

The government's genocidal actions stem in part from a policy of the governing elite in Khartoum forcibly to advance an Arab and Muslim identity in all parts of Sudan. This policy effectively relegates non-Arabs and non-Muslims to a secondary status and, moreover, conflicts with the reality that Sudan is a religiously diverse country with a large minority of Christians and followers of traditional African beliefs, as well as Muslims from a variety of Islamic traditions. Opposition to this coercive policy has fueled support for armed resistance by non-Muslim and non-Arab populations in the South, the Nuba Mountains, and elsewhere. During the North-South civil war, the current regime in particular used appeals to Islam, including calls by senior government officials for *jihad*, to mobilize northern Muslim opinion. Religious incitement by government officials contributed to the horrific human rights abuses perpetrated by government security forces and government-backed militias.

### *The Plight of Sudan's Internally Displaced Persons and Refugees*

One of the major issues facing Sudan is the situation of the refugees and internally displaced persons (IDPs). The North-South civil war and the conflict in Darfur have together driven approximately 7 million people from their homes, including 5.4 million currently internally displaced from the two conflicts, making Sudan the locus of the largest IDP crisis in the world. Sudan's total population today is just over 40 million. Most of the 4 million displaced from the North-South civil war are internally displaced, having fled to other parts of Sudan, particularly to the North. Of the 4 million, 500,000 became refugees in the Central African Republic, the Democratic Republic of Congo, Ethiopia, Egypt, Kenya, or Uganda. The overwhelming majority of those who fled as a result of the North-South civil war are Christians or followers of traditional African religions. Since 2003, the Darfur conflict has produced an additional two million internally displaced persons and sent another 250,000 into neighboring Chad and the Central African Republic as refugees. Unlike those who fled the North-South civil war, the Darfurians are almost all Muslims, members of tribes identified



Commissioner Cromartie and Sadiq Al Mahdi, former Prime Minister of Sudan and current President of the Umma Party, in Khartoum.

as African rather than Arab.

The UN High Commissioner for Refugees (UNHCR) oversees refugee returns, and the International Organization for Migration (IOM), in collaboration with Southern and central Sudanese authorities, coordinates IDP returns in Sudan. Both agencies emphasize that all returns by refugees and IDPs must be voluntary. Surveys indicate that most Southerners indeed wish to return to the South because of a desire to return to areas of origin, to take part in a new Southern Sudan, and to leave some of the harsh or restrictive living conditions in camps. IDPs living in the Khartoum area, for example, have limited access to employment or basic services and continue to face discrimination and harassment based on religious identification. They have also been subject to forced relocations as the Khartoum government has demolished IDP camps in the capital city several times. There have been allegations that school enrollment for Sudanese refugee children in Kenya has recently been limited in order to encourage their families to return to Southern Sudan. Rising costs for food and fuel constrain international efforts to assist refugees and IDPs, increasing hardships faced by these vulnerable populations.

Since the signing of the CPA in 2005, more than 250,000 refugees have returned to the South; 100,000 organized by UNHCR and the rest "self-assisted." In addition, more than 1.4 million IDPs have returned to their homes, although only 140,000 have been assisted. The IOM plans

to assist 400,000 IDPs in Khartoum to return to the South in 2008. Returnees assisted by the UN or IOM receive a reintegration kit, which includes food rations for three months, cooking utensils, agricultural tools, landmine protection kits, and applications for micro-credit schemes to support the local economy. Those who return on their own, however, receive little assistance, either in transit or in their destination community. Most of the returnees are settling in urban areas, either because rural areas lack the services required to integrate the incoming population, or because after years of living in urban-like camp settings or Khartoum, the refugees and IDPs have become accustomed to urban living. This has led to a significant “squatter” problem, increased competition for overtaxed resources, and in some cases, discrimination against returnees.

The return of refugees and IDPs to the South is important for the planned 2009 elections and 2011 referendum in which millions of displaced persons are an important constituency and the votes of those who decide to return may be decisive. A much-delayed national census was finally conducted at the end of April 2008, despite SPLM objections that IDPs and refugees who had not yet returned to the South were not to be included in the count. However, Southern Sudan faces major challenges in its capacity to absorb and provide services to the large number of returnees. Years of civil war have devastated the South, making infrastructure, including the development of mass communications, schools, health clinics, and water and sanitation facilities, one of the steepest challenges to be met by the new government. Returnees also face obstacles, including limited employment opportunities, continuing security concerns, restitution of displaced persons’ land and property, potential communal tension, and unmet funding needs, which have limited the amount of assistance given to returnees and hindered development projects. The challenges that returnees face in the South, coupled with unmet high expectations for what many Sudanese feel should be a faster pace of development for the South, have led many IDPs to return to Khartoum, despite pressure from authorities there and terrible camp conditions.

### *Commission Actions on Sudan*

Sudan was one of the first countries to be a focus of attention by the Commission. Since its inception, the Commission has met with a broad range of government

officials, religious leaders, human rights monitors, civil society representatives, and others knowledgeable about Sudan; has held public events to focus attention on religious freedom abuses in Sudan; has testified on Sudan at congressional hearings; and has visited Sudan to see the situation on the ground, traveling most recently to Khartoum, Kadugli in the Nuba Mountains and Juba, as well as to Nairobi and Lokichokio in Kenya in January 2006. In March 2006, the Commission issued *Policy Focus: Sudan* at a press conference with Members of Congress. In March 2007, the Commission co-sponsored a Capitol Hill event with the Hudson Institute’s Center on Religious Freedom and the Jacob Blaustein Institute for the Advancement of Human Rights of the American Jewish Committee, to highlight congressional efforts on human rights and religious freedom in Sudan, in particular the work of the Congressional Human Rights Caucus’s Task Force on International Religious Freedom. The same day, the Commission sent a letter to President Bush urging renewed U.S. leadership to achieve implementation of the Comprehensive Peace Agreement and to advance UN protection efforts in Darfur.

The Commission has made a series of recommendations regarding U.S. policy toward Sudan. In September 2001, following a Commission recommendation that the U.S. government appoint a nationally prominent individual to bring about a peaceful and just settlement of the North-South civil war in Sudan, President Bush appointed former Senator John Danforth as Special Envoy for Peace in Sudan, energizing the peace process. In September 2006, President Bush appointed former USAID Administrator and Special Humanitarian Coordinator for Sudan Andrew Natsios as Special Envoy for Sudan, again following a Commission recommendation. On January 10, 2008, Richard “Rich” Williamson succeeded Andrew Natsios in this position. Other U.S. actions have followed Commission recommendations, including the Administration’s decisions to give peace in Sudan a higher priority on its foreign policy agenda, engage actively to move the warring parties toward peace, monitor progress toward implementation of a series of partial and preliminary peace agreements, limit the impact of U.S. Sudan sanctions on the South and other areas that have suffered from Khartoum’s abuses, and use U.S. assistance more effectively in alleviating the suffering of the Sudanese people and in aiding development in Southern Sudan.

In addition to recommending that Sudan continue to be designated a CPC, the Commission urges the U.S. government to remain engaged at the highest levels in bringing about a just and lasting peace for all of Sudan. In April 2007, in a major policy address on Sudan, President Bush announced that should diplomacy on Darfur continue to fail to secure Khartoum's compliance with UN Security Council resolutions, the Administration would impose stronger measures on Khartoum, several of which the Commission recommends below. The Commission believes that the normalization of relations with Sudan and the lifting of U.S. sanctions must be preceded by concrete action and demonstrated progress by Khartoum in ending abuses, cooperating with international peacekeeping and humanitarian assistance operations in Darfur, and fully implementing the CPA.

## 1 Coalition-Building

The U.S. government should:

- build on the Special Envoy's efforts by lending the President's personal prestige to enlist international support, including from the European Union, Sudan's neighbors, and nations such as China and India that have major economic investments in Sudan, to press Khartoum to end its delaying tactics on CPA implementation;

## 2 CPA Verification and Follow-through

The U.S. government should:

- continue to press for the complete and timely implementation of the

CPA's human rights, power-sharing, revenue-sharing, and security arrangements, compliance that must include 1) Khartoum's unconditional acceptance of the ruling of the Abyei Boundary Commission, which the U.S. government has a special obligation to enforce and see through to its implementation, 2) the verifiable termination of all support for militias or elements of the Ugandan insurgent Lord's Resistance Army operating in the South, and 3) the lifting of restrictions on peaceful political activities throughout the country in advance of elections;

- hold both the Northern leadership and the SPLM/A to the current schedule for elections and referenda, ensuring that these are true expressions of popular will and that their results are accepted and implemented;
- investigate and publicly report to the Congress every six months on the status of implementation of the CPA, with a particular focus on violations, assessing responsibility and indicating what actions are to be taken by the U.S. government in response; violations to be investigated should include the role of the Sudanese Armed Forces and associated militias in the November 2006 fighting in Malakal, and Khartoum's possible continued support for the Lord's Resistance Army; and
- consider new sanctions as needed to respond to non-compliance with the terms of the CPA, including targeted sanctions such as asset freezes and travel bans against individuals and institutions, e.g., the

National Congress Party, identified as responsible for serious human rights abuses or for impeding CPA implementation.

## 3 Southern Sudan

The U.S. government should:

- continue to support and strengthen the Government of Southern Sudan, assisting in the development of institutions and infrastructure necessary to protect human rights, deter a resumption of civil war, support the return of refugees and internally displaced persons, and prepare the South for the 2011 referendum on the South's political future;
- alleviate the impact of remaining U.S. sanctions on all areas under the control of the Government of Southern Sudan and local institutions in the border areas of Abyei, Southern Blue Nile, and the Nuba Mountains, including sanctions on communications equipment; and
- provide, well in advance of the 2011 referendum, specific security guarantees for the South in the event that Khartoum seeks to renew the North-South civil war or otherwise impose its will by force in violation of the CPA.

## 4 Promotion of Human Rights, including Freedom of Religion or Belief

The U.S. government should:

- use U.S. bilateral discussions with Sudan, as well as UN mechanisms and bilateral discussions with third countries with influence in Sudan, to urge Sudan's Government of National Unity to:



- allow all religious groups to conduct their activities without harassment, discrimination or undue interference, including activities such as publishing or importing religious literature, building, repairing, and operating houses of worship, and operating social service programs;
- repeal laws that punish changing one's religion or encouraging another to do so; end official accusations of blasphemy, apostasy, "offending Islam," or similar charges used to stifle public debate or restrict the right to freedom of expression;
- dismantle the burdensome bureaucratic obstacles the government places on international humanitarian assistance; remove the state security services from their current role in regulating humanitarian assistance;
- establish an independent and impartial national Human Rights Commission as called for in the Interim National Constitution and in accordance with the international standards<sup>1</sup> for such bodies in terms of independence, adequate funding, a representative character, and a broad mandate that includes freedom of thought, conscience, and religion or belief;
- abandon efforts to force religious organizations to register as non-governmental organizations under regulations that give government officials effective control over their activities;
- permit relations between national religious communities and their co-religionists abroad in accordance with universal human rights norms;
- reform the state security services to be representative of all Sudanese and ensure that all national institutions such as the military, law enforcement agencies, and the highest levels of the judiciary are representative and equally protective of all Sudanese regardless of religious affiliation or belief;
- end the impunity with which members of the security forces and others acting as agents of the government have engaged in human rights abuses; urge the establishment of effective mechanisms for accountability for past abuses; and in the absence of such bodies, provide full cooperation with international institutions, including those mandated by the UN Security Council;
- cease using government-controlled media for messages of intolerance and discrimination against non-Muslims;
- exclude negative stereotyping in school textbooks; include in school curricula, in textbooks, and in teacher training the concepts of tolerance and respect for human rights, including freedom of religion or belief; history texts should reflect the religious and cultural diversity of Sudan's past;
- undertake a comprehensive review, in collaboration with Sudanese civil society and independent international experts, to bring Sudanese law into compliance with Sudan's international human rights obligations; and
- cooperate fully with international mechanisms on human rights issues, including inviting further visits by the UN Special Rapporteur on Freedom of Religion or Belief, the Special Rapporteur on the Situation of Human Rights in Sudan, the UN Working Group on Arbitrary Detention, and the UN Human Rights Council's High-Level Mission on the Situation of Human Rights in Darfur and comply with the Mission's recommendations.

## 5 Personnel Resources

The U.S. government should:

- ensure that the Special Envoy has the personnel and other support needed to fulfill his mandate of facilitating the implementation of the CPA and pursuing peace in Darfur;
- appoint a high-level official to ensure that U.S. resources and influence are used effectively to assist the safe and voluntary return of Sudan's refugees and internally displaced persons; and
- strengthen the capability of the U.S. Embassy in Khartoum to monitor implementation of the crucial human rights provisions of the CPA and to report on human rights abuses, including religious freedom in the North, as well as to advance the U.S. human rights agenda in Sudan by appointing a ranking official reporting to the Ambassador and working full-time on human rights.

## 6 U.S. Foreign Assistance

The U.S. government should:

- ensure that USAID, the State Department's Human Rights and Democracy Fund, and other provid-

ers of U.S. government assistance develop a strategy and fund specific programs to 1) promote implementation of the human rights and religious freedom provisions of the CPA, and 2) advance legal protections and respect for freedom of religion or belief throughout Sudan, in recognition of (a) the central role of religion as a factor in the North-South civil war, and (b) the emphasis within the CPA on religious freedom concerns; the programs funded by USAID's Office of Transition Initiatives should also be expanded;

- adopt as specific objectives for these U.S. programs:
  - improved citizen awareness and enforcement of the legal protections for human rights included in the CPA, the Interim National Constitution, the Interim Constitution of Southern Sudan, and the international human rights treaties, including the International Covenant on Civil and Political Rights (ICCPR), to which Sudan is a party;
  - grassroots reconciliation and “peace through dialogue” among Sudanese, including building on steps USAID has already taken to promote reconciliation among Southern Sudanese, recognizing that participants in such programs must be transported, housed, and fed; participants should specifically include religious and other civil society leaders from Sudan's diverse religious and ethnic communities;
  - greater capacity of those elements of civil society throughout Sudan (i.e. the North, the South, and the transitional areas) that promote

religious tolerance, respect for human rights, and the peaceful resolution of conflicts, to advance those goals on both the national and the local levels; and

- development of an independent and impartial judiciary in Southern Sudan, including through training of judges, prosecutors, court administrators, and support personnel, with the aim to ensure international standards of due process, fair trial, and non-discrimination;
- expand the use of educational and cultural exchanges, such as the Fulbright Program, the International Visitors Program, and lectures by visiting American scholars and experts, in order to introduce more Sudanese to the experience of societies in which religious freedom and other human rights are protected by law; preference should be given to programs that bring together leaders from various religious and ethnic backgrounds from the North, South, and the transitional areas;
- expand international radio broadcasting to Sudan to provide objective sources of news and information and to improve awareness of the CPA and its implementation, including specific programming promoting grass-roots reconciliation and respect for freedom of religion; support independent television and radio broadcasting, including in the South, to the same end; and
- promptly dispense financial assistance for humanitarian purposes, to build civil society, and to promote economic development in Southern Sudan, including in the area of an independent telecommunications network.

## 7 Refugees and Internally Displaced Persons

The U.S. government should:

- increase support to UN agencies and their NGO partners in facilitating the spontaneous—as well as organized—voluntary return of refugees and the internally displaced, including through intensified efforts to monitor spontaneous or “self-assisted” returns to the South, provide safer modes of transportation, de-mine roadways, and develop a comprehensive return and reintegration strategy, as well as development plans, to enhance the capacity of Southern Sudan to absorb large numbers of IDPs and refugees;
- increase technical assistance programs to assist the Government of Southern Sudan to develop and provide for basic services, including education, health, and water sanitation, to the returnees;
- work with UN agencies and NGO partners to ensure that the populations that remain in refugee and IDP camps continue to receive at least the same level of humanitarian assistance as before, so they are not unduly pressured into making “voluntary” returns; and
- work with other resettlement countries, UNHCR, and its NGO partners to ensure that UNHCR expeditiously identifies those refugees for whom repatriation is not an appropriate or imminent solution to their displacement, including those who have suffered from past persecution; secure, as appropriate, timely local integration in countries of first asylum or resettlement to third countries for such refugees; and promptly devise a strategy to achieve this concurrent

with efforts to repatriate refugees to Sudan.

## 8 Victims of Slavery and Human Trafficking

The U.S. government should:

- urge Sudan's Government of National Unity to prosecute strictly the crime of abduction into slavery, most of whose victims are women and children taken during the North-South civil war or in Darfur by government-sponsored militias, and ensure the speedy identification, voluntary return, and family reunification of victims, as well as measures for their rehabilitation and reparation.

## 9 Peace in Darfur

The U.S. government should:

- closely monitor the Sudanese government's compliance with UN Security Council resolutions addressing the conflict in Darfur;
- support a stronger international presence in Sudan sufficient to protect civilian populations and to monitor compliance with the peace accords and Security Council resolutions, including by:
  - urging the United Nations-African Union Mission in Darfur (UN-AMID) to protect civilians in accordance with the highest international standards for peacekeeping operations;
  - providing resources such as improved communications equipment, reliable vehicles and helicopters, and logistics assistance to enable peacekeepers to move quickly to places where abuses are occurring;
- bringing in advisers on civilian protection issues in armed conflict to train and work with international force commanders;
- ensuring that there is a secure environment for the delivery of humanitarian aid and the return of refugees and the internally displaced; providing an early warning system with GPS (global positioning system) capability to warn camps and villages of approaching forces;
- supporting the assignment of designated protection teams to camps for internally displaced persons;
- supporting the active enforcement of the aerial "no-fly" zone already specified in Security Council Resolution of March 29, 2005, which calls for the immediate cessation of "offensive military flights in and over the Darfur region";
- taking measures to prevent—and providing aid to those victimized by—widespread sexual violence and rape in Darfur, including by training advisers for the international forces in Darfur and by encouraging participating nations to include female troops and female police officers in their deployment to handle rape cases effectively; and
- supporting a substantial increase in the number of human rights monitors from the UN Office of the High Commissioner for Human Rights and in the number of international peacekeepers deployed in Darfur;
- prevail upon the government of Sudan to provide needed humani-

tarian access to international relief organizations;

- continue efforts to aid the suffering civilian population of Darfur, including by seeking an end to killing, to ethnic cleansing and forced displacement, and to Sudanese government impediments to the distribution of international humanitarian assistance; assisting refugees and internally displaced persons to return home in safety; and promoting a ceasefire as well as a peaceful and just resolution of the grievances that underlie the crisis; and
- urge the Sudanese authorities to cooperate with the international prosecution of those accused of violations of international humanitarian law and human rights law in connection with the events in Darfur since July 1, 2002, in accordance with Security Council Resolution 1593 of March 31, 2005, by handing Ahmad Harun and Ali Muhammad Ali Abd-Al-Rahman (also known as Ali Kushayb) over to the International Criminal Court.

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## ENDNOTES

<sup>1</sup> Principles Relating to the Status and Functioning of National Institutions for Protection and Promotion of Human Rights, found in the Annex to Fact Sheet No. 19, National Institutions for the Promotion and Protection of Human Rights, Office of the High Commissioner for Human Rights (<http://www.unhcr.org/html/menu6/2/fs19.htm>, accessed April 3, 2008).

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