

December 1, 2007: Sudan: USCIRF condemns punishment of teacher for allegedly insulting religion, urges her release and safe passage

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WASHINGTON-The U.S. Commission on International Religious Freedom, a bipartisan, independent federal body, condemns the Sudanese government's arrest, detention, conviction and sentencing of a teacher whose elementary-school class at a British international school in Khartoum reportedly named a teddy bear "Mohammed." The teacher should be released immediately and given safe passage out of the country. According to media reports, in September British citizen Gillian Gibbons allowed her class of seven-year-olds to select a name for a stuffed toy, a teddy bear, as part of a lesson about animals. The name chosen by the children, "Mohammed," is a popular name in Sudan, as elsewhere in the Muslim world. Ms. Gibbons was arrested Nov. 25 and sentenced on Nov. 28 to 15 days in prison and deportation for allegedly insulting religion by giving the name of the Prophet of Islam to a stuffed animal. Angry mobs, armed with knives and clubs, marched Friday in Khartoum's streets demanding that the teacher be put to death. Commission Chair Michael Cromartie stated that the Sudanese authorities' prosecution of Ms. Gibbons "illustrates the arbitrary nature of laws ostensibly designed to protect religion from insult or defamation. Any personal grudge or political vendetta can provide the pretext for spurious accusations of blasphemy, apostasy, or insulting religion." Such charges have been used in Sudan and elsewhere to restrict peaceful discussion of the appropriate role of religion in state and society, to prevent criticism of specific political figures or political parties, or to curb dissent from prevailing views and beliefs. The speed with which the defendant was found guilty also suggests that she was not permitted to mount a proper defense, in flagrant disregard of due process of law. The prosecution of Ms. Gibbons also appears to contravene Sudan's own Interim Constitution, provisions in the Comprehensive Peace Agreement enjoining tolerance and the protection of the rights of non-Muslims, and international human rights treaties to which Sudan is a party. These include the International Covenant on Civil and Political Rights, particularly Article 14, which states that everyone charged with a criminal offense is entitled to "adequate time and facilities for the preparation of his defense and to communicate with counsel of his own choosing..." This case underlines the danger to freedom of expression and other individual rights of the international campaign to protect Islam or other religions from "defamation." In March of this year, the United Nations Human Rights Council passed a resolution calling on United Nations member states to take measures to halt so-called "defamation of religion," and a similar resolution currently is working its way through the UN General Assembly. In Sudan and other countries which criminalize "insulting" religion, the practical effect is all too often the miscarriage of justice such as the case in question. Defamation of religion laws clearly violate guarantees of international treaties, including the International Covenant on Civil and Political Rights, which Sudan has ratified. These human rights instruments guarantee to everyone the right to freedom of expression, as well as freedom of thought, conscience, and religion or belief. Moreover, the Sudanese laws appear to subordinate individual rights in the name of protecting religion. The Commission has made a number of recommendations on U.S. policy toward Sudan, including that the U.S. government urge Sudan's Government of National Unity to end official accusations of blasphemy, apostasy, "offending Islam," or similar charges used to stifle debate or restrict the right to freedom of expression. For a full description of the Commission's views on Sudan, including a comprehensive set of recommendations for U.S. policy, please see the Sudan chapter in the Commission's most recent Annual Report. Michael Cromartie, Chair • Preeta D. Bansal, Vice Chair • Richard D. Land, Vice Chair • Don Argue • Imam Talal Y. Eid • Felice D. Gaer • Leonard A. Leo • Elizabeth H. Prodromou • Nina Shea • Ambassador John V. Hanford III, Ex-Officio