



# UNITED STATES COMMISSION ON INTERNATIONAL RELIGIOUS FREEDOM

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**Annual Report of the**  
**United States Commission on International Religious Freedom**  
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Front Cover: KHUSHPUR, Pakistan, March 4, 2011 – Pakistanis carry the coffin of Shahbaz Bhatti, Pakistan's slain minister of minorities, who was assassinated March 2 by the Pakistani Taliban for campaigning against the country's blasphemy laws. Bhatti, 42, a close friend of USCIRF, warned in a Washington visit just one month before his death that he had received numerous death threats. More than 15,000 persons attended his funeral. (Photo by Aamir Qureshi/AFP/Getty Images)

Back Cover: JUBA, Sudan, January 9, 2011 – Southern Sudanese line up at dawn in the first hours of the week-long independence referendum to create the world's newest state. The referendum vote was the final milestone in the implementation of the 2005 Comprehensive Peace Agreement, which ended more than 20 years of north-south civil war in Sudan. (Photo by Roberto Schmidt/AFP/Getty Images)

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The 2011 Annual Report is dedicated to the memory of Shahbaz Bhatti, the Pakistani Federal Minister for Minorities Affairs. Shahbaz was a courageous advocate for the religious freedoms of all Pakistanis, and he was assassinated on March 2 by the Pakistani Taliban for those efforts.

## Sudan

**FINDINGS:** Systematic, ongoing, and egregious violations of freedom of religion or belief continue in Sudan. Violations include: the efforts by the Arab Muslim-dominated government in Khartoum to impose its version of sharia law and enforce religiously-based morality laws through corporal punishment to limit the fundamental freedoms of Muslims and non-Muslims alike; the criminalization of conversion from Islam, a crime punishable by death, and the intense scrutiny, intimidation, and torture of suspected converts by government security personnel; the denial of the rights of non-Muslims to public religious expression and persuasion, while allowing Muslims to proselytize; and the difficulty in obtaining permission to build churches, as compared to government funding of mosque construction.

Based on these concerns, USCIRF again recommends in 2011 that Sudan be named a “country of particular concern,” or CPC. The State Department has designated Sudan a CPC since 1999.

USCIRF identified Sudan as the world’s most violent abuser of the right to freedom of religion or belief during the North-South civil war of 1983-2005. Since the Comprehensive Peace Agreement (CPA) ended that war in January 2005, conditions for religious freedom have improved in South Sudan and in contested areas in central Sudan. The Government of National Unity (GNU) instituted by the CPA has officially operated under an Interim National Constitution with provisions guaranteeing universal human rights, including freedom of religion or belief. Nevertheless, despite these provisions, severe human rights violations continue against both non-Muslims and Muslims in areas controlled by the government in Khartoum. With the CPA and Interim National Constitution scheduled to end in July 2011, there is increasing concern that religious freedom and human rights conditions in the North will deteriorate significantly.

**PRIORITY RECOMMENDATIONS:** As a guarantor of the CPA, the U.S. government has an obligation to ensure complete implementation in its final months. In addition to recommending that Sudan continue to be designated a CPC, USCIRF urges the U.S. government to remain engaged at the highest levels to bring about a just and lasting peace for all of Sudan. With the Khartoum regime discussing moving the North toward a more repressive Islamist state, the State Department should increase efforts to encourage reforms and discourage regressive behavior. The U.S. government also should work to advance discussions on post-2011 issues, particularly relating to citizenship; insist on strengthened human rights protections in both North and South Sudan, including in their new constitutions; work to prevent violence against civilians and hold perpetrators responsible; and help South Sudan build its governing structure in an inclusive and democratic way that respects international human rights. Additional recommendations for U.S. policy toward Sudan can be found at the end of this chapter.

## Religious Freedom Conditions

### *Freedom of Religion or Belief in the North*

The Interim National Constitution, which expires in July 2011, guarantees the freedoms to worship and assemble, establish and maintain places of worship and appropriate charitable or humanitarian institutions, observe days of rest and celebrate holidays and ceremonies, and communicate with co-religionists at both the national and international levels. Despite these protections, severe violations of freedom of religion or belief persist in areas controlled by the National Congress Party (NCP)-dominated government of President Omar al-Bashir in Khartoum.

### *Official Enforcement of Sharia (Islamic Law)*

All Sudanese in the North, including Christians and followers of traditional African religions, are subject to sharia (Islamic law). In meetings in Khartoum in December 2009, both Christians and Muslims told USCIRF that they felt their religious freedoms were infringed by the government's imposition of its own particular Islamic ideology on the entire population, including its enforcement of religiously-based morality codes and corporal punishment.

In the run-up to the April 2010 elections, several opposition parties called for Sudan to become a secular state and for the repeal of the mechanisms enforcing religiously-based morality (known as the Public Order Regime). However, President Bashir and Vice President Ali Osman Taha characterized these calls as advocating disunity, a sentiment echoed by newspapers and clerics supportive of the NCP and President Bashir. In December 2010, President Bashir stated that sharia would be the basis of a new constitution in Sudan once the South becomes independent and the Interim National Constitution expires, thus eliminating references to Sudan being a multi-ethnic, multi-religious and multi-cultural state. This announcement was promptly criticized by opposition and civil society leaders, who are calling for an inclusive and transparent constitution-drafting process.

The government enforces religiously-based morality laws and imposes corporal punishments on both non-Muslims and Muslims through the Public Order Regime, despite provisions in the CPA and the Interim National Constitution that non-Muslims be provided alternatives to the punishments prescribed for Muslims. This Regime comprises the Public Order Police, the Public Order Courts, the Public Order Acts, and sections of the 1991 Criminal Act on "offences of honor, reputation and public morality," including undefined "indecent or immoral acts." Public order violations carry a maximum penalty of 40 lashes through flogging, a fine, or both. In the past year, dozens of Muslim and Christian women and girls in Khartoum were flogged for indecent dress in violation of the Public Order Regime. What constitutes indecent dress is not defined in any law, but is left to the discretion of arresting officers and prosecuting judges.

According to the African Centre for Justice and Peace Studies (ACJPS), indecency charges relating to dress or the brewing or selling of alcohol are used primarily against poor Southern women, the vast majority of the female inmate population in Khartoum. The public order laws also are used to discriminate against women of all classes, including the requirement that all women wear the *hijab* and wide restrictions on women's economic activities, including the limitation on work hours for women in Darfur. Under the guise of stopping prostitution, the laws have also been used against unmarried men and women who congregate by sharing office spaces and taxi rides or attending parties together. These arrests often target the government's political opponents.

There were several notable public order cases in 2010. In June, 25 people were arrested for attending a co-ed fashion show, violating public order rules related to separation of the sexes. In August, 19 men

were given 30 lashes and a fine for wearing women's clothes and make-up. In December, 52 women were arrested and fined for protesting the Public Order Regime and the flogging of women for indecent dress. Also in December, seven male models were arrested and fined 200 Sudanese pounds for wearing make-up during a taping of the Sudanese version of the American reality show, "Next Top Model." The woman who applied the make-up was also arrested and fined.

Sudanese law also makes conversion from Islam a crime punishable by death, but permits Muslim proselytism. 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. In contrast, government policies and societal pressure promote conversion to Islam. The government also allegedly has tolerated the use of humanitarian assistance to induce conversion to Islam. In government-controlled 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.

Blasphemy is legally prohibited under Sudan's criminal laws, and blasphemy accusations have been used to intimidate those expressing disfavored views. Over the past few years, such accusations have been used against persons, including former Sudan People's Liberation Movement presidential candidate Yassir Arman, who called for exempting non-Muslims from the application of sharia or for Sudan to be secular. Blasphemy accusations are routinely used against the Communist Party.

According to the Interim National Constitution, there are supposed to be special provisions to protect the rights of non-Muslims in northern Sudan; non-Muslims would still be subject to the sharia-based provisions of the penal code but, at the discretion of the courts, not to the same penalties as those prescribed for Muslims. The CPA-mandated Commission for the Rights of Non-Muslims in the National Capital was created to ensure that such exemptions are made, but it has proven to be ineffective. Employers suffer no penalty for failing to comply with a law requiring them to give their Christian employees two hours before 10 a.m. on Sunday for religious purposes. The labor law provides for reduced working hours during the Muslim holy month of Ramadan, but does not provide for similar treatment for Christians during their holidays. In September, the Commission proposed a set of amendments to the law to exempt non-Muslims from restrictions on civil liberties in the North, including during Ramadan. One proposal was that local restaurants should not be forced to be closed and that those owned by Christians should be allowed to operate under their normal schedules, without incurring extra fees to local authorities to stay open. It also proposed that local shops be open during prayers or on Fridays. The government has yet to respond.

#### *Discrimination against Non-Muslims*

Although the government routinely grants permits to construct and operate mosques and supports mosque construction with government funds, permission to build churches often is difficult to obtain. Since the CPA's signing in 2005, only three churches have received building permits and are reportedly under construction. Churches built without official permission, by owners who register land for personal rather than church use, exist at the authorities' sufferance. Even legally recognized church-owned properties are vulnerable to official harassment. On November 14, 2010, about 200 police officers arrived in seven trucks, cordoned off a building in Khartoum which housed the Sudan Council of Churches, a body representing Orthodox, Protestant, and Roman Catholic Churches in the North, charged onto the premises, and ransacked its offices. While the police claimed that they were looking for weapons, none were found.

Muslims also receive preferential access to limited government services and preferential treatment in court cases involving Muslims against non-Muslims. Christians told USCIRF during its December 2009 trip to Khartoum that foreign church officials are not permitted outside of Khartoum, that except for a Christmas Day broadcast, the state media denies Christians air time, and that Christians are denied educational opportunities and employment services when administrators discover their religious background. In addition, school textbooks negatively stereotype non-Muslims and ignore their contribution to the country.

### *Freedom of Religion or Belief in the South*

USCIRF traveled to South Sudan three times during this reporting period to monitor respect for freedom of religion or belief in the South and to meet with Southern religious and government officials to ensure that current protections remain once the South becomes independent in July.

The Interim Constitution of South Sudan separates religion and the state and guarantees freedom of religion and equality before the law regardless of religious belief. The South is currently drafting a new constitution to take effect upon its independence in July. It is expected that the religious freedom protections of the interim constitution will be included in the new constitution.

In general, the Government of South Sudan (GoSS) and its dominant party, the Sudan People's Liberation Movement (SPLM), respect religious freedom in practice. Although the SPLM draws its support largely from Christian Southerners, the party and the Southern government avoid appearing to favor Christians over Muslims. The SPLM Northern Sector secretary-general and former national presidential candidate, Yassir Arman, is himself a northern Muslim. In this reporting period, the GoSS appointed a presidential advisor for religious affairs to increase communication between the government and religious communities. It has also refrained from creating a Ministry of Religious Affairs to register religious communities as requested by several religious communities, fearing that such a body would increase government interference in internal religious affairs or religious doctrines.

Some religious communities have expressed concern that the approach of GoSS and SPLM officials to church-state relations envisions a complete separation and lack of cooperation between those communities and the government. Following USCIRF engagement on this concern with GoSS officials, including Vice President Reik Machar and senior SPLM officials, the relationship between the government and religious communities improved in the second half of 2010. Improvements included senior-level GoSS and SPLM engagement in several church-state forums on plans to address jointly issues of common concern, such as insecurity and the 2011 referendum on self-determination for South Sudan.

There was only one known official religious freedom violation in the South in 2010. In December, the Western Equatoria state governor banned the activities of Jehovah's Witnesses for a month because its members did not register to vote in the January 2011 referendum on Southern independence. The governor justified his actions by stating that the Jehovah's Witnesses were not participating in their national duty.

### *Implementation of the Comprehensive Peace Agreement*

The signing of the CPA in January 2005 ended a 22-year civil war in which resistance to Khartoum's policies of Islamization and Arabization was a major factor. During the conflict, NCP leaders, including President Bashir, exploited religion to mobilize northern Muslims against both non-Muslim Southerners and Muslims who opposed the NCP regime. These appeals to Islam included calls for *jihad* by senior

government officials. The civilian victims of the conflict – two million dead and four million driven from their homes – were overwhelmingly Southern Christians and followers of traditional African religions.

At the time of this writing, only a few months remain of the interim period before the CPA expires. USCIRF stressed the importance of full CPA implementation with U.S. and Southern officials in its travel to the South during this reporting period. While most of the CPA milestones have been met, provisions related to human rights reforms and economic development will likely be unimplemented. Nevertheless, the CPA has succeeded in maintaining peace between the North and the South, although tensions remain high.

#### *April 2010 Elections*

The first elections in Sudan in almost 25 years took place from April 11 to 15, 2010, resulting in President Bashir's election. Observers, including the Carter Center and the European Union, found that the elections failed to meet international standards. Laws were implemented and logistical arrangements manipulated to ensure an NCP victory. Freedom of speech, association, and assembly were frequently violated. Insecurity in some areas of Sudan, including Darfur and South Sudan, prevented open campaigning and voting. Election observers reported serious problems during the campaign period, including the intimidation and detention of opposition activists by the security forces. These problems led the SPLM and some Northern opposition parties to boycott the presidential contest and state elections in the Darfur region and elsewhere.

#### *January 2011 Referendum and Post-2011 Issues*

In January 2011, Southerners in Sudan and in the diaspora voted in a referendum on self-determination for South Sudan, which international and domestic observers found to meet international standards. On February 7, the South Sudan Referendum Commission confirmed that 99 percent of Southerners voted for independence and that 97 percent of registered voters participated in the poll. The Khartoum government, the African Union, the United States, and the international community have recognized the results, and the South is expected to become an independent nation in July.

While the holding of the referendum was successful, the two parties have yet to agree on a number of arrangements necessary for a smooth and peaceful post-referendum period and good North-South relations. These issues include, but are not limited to, citizenship, security, oil and water arrangements, and the North-South border demarcation. Of particular concern is the parties' failure to resolve the question of citizenship for Southerners in the North. In the lead-up to the referendum, inflammatory statements from NCP and Northern leaders that Southerners would lose access to services and rights should the South gain independence led hundreds of thousands of Southerners to leave the North and repatriate to the South. Nevertheless, hundreds of thousands of Southerners remain in the North without clarification of their status.

#### *Abyei, Southern Kordofan State, and Blue Nile State*

The referendum on whether Abyei will retain its special status in the North or become part of the South has not yet been scheduled due to disagreements between the NCP and the SPLM over voter eligibility. The NCP argues that the Misseriya, a nomadic group who migrate through Abyei, should be permitted to vote; the SPLM argues that only permanent residents of Abyei, the Ngok Dinka, should be registered. While negotiations continue, heightened tensions between the Misseriya and the Ngok Dinka have triggered outbreaks of violence. In late February and early March, more than 100 persons were killed and thousands displaced. Smaller outbreaks of violence occurred in early January, during the referendum

voting for South Sudan. In response to the violence, the NCP and SPLM set up a joint security committee for Abyei, although reports continue of Southern and Northern troop buildup around the area.

The “popular consultations” in the Northern states of Southern Kordofan and Blue Nile are vaguely defined in the CPA as “a democratic right and mechanism to ascertain the views of the people on the comprehensive agreement reached.” The popular consultation process is supposed to begin with elected state leaders consulting with their respective populations in order to rectify the shortcomings of the CPA’s constitutional, political, and administrative arrangements. The elected leaders are then to take up their concerns with the central government. Popular consultations were held in Blue Nile State in January 2011, although their outcome had yet to be announced at the time of this writing. Popular consultations are delayed in Southern Kordofan until after new state-level elections are held in May, although the parties say they can still take place before the end of the CPA period in July.

## **U.S. Policy**

The United States is the pivotal international actor in Sudan. U.S. involvement in the peace negotiations was vital to achieving the CPA and ending the North-South civil war. As a guarantor of the CPA, along with the United Kingdom and Norway, the U.S. government has an obligation to work with the signatories, the SPLM and the NCP, to ensure its full implementation.

Following criticism that internal divisions over Sudan policy were jeopardizing its ability to press for CPA implementation and progress in Darfur, the Obama administration announced a new policy in the second half of this reporting period and increased senior-level engagement on Sudan. In September, the administration announced a series of incentives to encourage the GNU to implement the CPA’s final stages and bring peace to Darfur. The United States immediately lifted some sanctions on Sudan, including a prohibition on importing agricultural tools. In return for Khartoum’s efforts to secure an on-time and credible referendum, respecting its outcome, and coming to agreement on post-2011 issues, the administration said it would take steps to remove Sudan from the list of state sponsors of terrorism. Following Khartoum’s recognition of the South’s vote for independence in February, Secretary of State Hillary Clinton announced she was charging the State Department with investigating whether Sudan met the legal requirements for such a removal. The final incentive was offering to help Khartoum seek debt relief in return for lasting peace in Darfur.

In 1997, President Bill Clinton had utilized the International Emergency Economic Powers Act (IEEPA) to sanction Sudan, finding that “continued support for international terrorism, ongoing efforts to destabilize neighboring governments, and the prevalence of human rights violations, including slavery and the denial of religious freedom, constituted an unusual and extraordinary threat to the national security and foreign policy of the United States.” These sanctions imposed a trade embargo on the entire country as well a total asset freeze on the government. Since 1997, an arms embargo on Sudan and travel bans and asset freezes have been imposed in response to the genocide in Darfur. With the 1999 designation of Sudan as a Country of Particular Concern (CPC), the Secretary of State has utilized the International Religious Freedom Act (IRFA) to require U.S. opposition to any loan or other use of funds from international financial institutions to or for Sudan. In an attempt to prevent sanctions from negatively impacting regions in Sudan which have been assailed by Khartoum, U.S. government amendments and orders have attempted to lift the impact of U.S. sanctions on the regional governments of Southern Sudan, Southern Kordofan State, Blue Nile State, Abyei, Darfur, and marginalized areas in and around Khartoum.

At the same time that the Obama administration announced the incentive approach, senior administration officials increased their efforts to internationalize the importance of holding an on-time South Sudan referendum. President Barack Obama led a special UN session on the referendum in September, during

which several heads of state and foreign ministers also participated. U.S. Ambassador to the UN Susan Rice was instrumental in an October Security Council mission to Sudan and monthly Security Council meetings on Sudan leading up to the referendum. President Obama and Secretary Clinton were in regular dialogue with international partners, urging continued movement toward an on-time and recognized referendum.

The administration also appointed two senior advisors to further U.S. policy in Sudan. In August 2010, Ambassador Princeton Lyman was charged with working with the NCP and the SPLM to come to agreement on the post-2011 negotiations, in areas such as oil revenue sharing, citizenship, and border demarcation. In December, Ambassador Dane Smith was announced as a senior advisor on Darfur to increase efforts to bring peace to that region. In February 2011, the administration announced that it was nominating U.S. Special Envoy to Sudan Major General J. Scott Gration to be Ambassador to Kenya and that a new Special Envoy would be appointed.

The United States is the leading international donor to Sudan, having provided nearly \$10 billion in assistance since 2005. Assistance is targeted at implementing the CPA; ending continued conflict and human rights abuses in the North; addressing insecurity; building democracy, human rights and good governance; establishing systems for the provision of health care, education, and other services; and providing technical and capacity assistance in the South. More than 50 percent of USAID's budget to Sudan is provision of humanitarian assistance nationwide.

Finally, in anticipation of the referendum vote and probable Southern independence, the administration increased its assistance to and staffing in South Sudan. U.S. government officials were deployed to the Southern states to work on referendum preparation and conflict mitigation programs. U.S. employees from several executive agencies have been deployed to Juba to assist in technical capacity assistance programs for the Government of South Sudan. The U.S. government funded technical assistance programs for the Southern Sudan Referendum Commission as well as for civic and voter education efforts in the South. With the South's expected independence in July, the U.S. government plans to increase assistance to the Government of South Sudan to help it provide basic services, undertake legal reforms, and support good governance and economic growth programs. The U.S. government will also continue to fund training programs to professionalize the Sudan People's Liberation Army and South Sudan Police forces, as well as infrastructure projects.

U.S. government officials in Khartoum and Juba regularly meet with religious leaders and Northern and Southern government officials to discuss religious freedom in Sudan as well as promote respect for religious freedom and implementation of religious freedom provisions in the CPA and the constitutions.

## **Recommendations**

Given the Khartoum regime's deplorable, ongoing record of violating religious freedom and related human rights, USCIRF recommends that Sudan continue to be designated a CPC.

In addition, USCIRF urges the U.S. government to remain engaged at the highest levels in bringing about a just and lasting peace for all of Sudan. With the Bashir regime discussing moving the North toward a more repressive Islamist state, the State Department should increase efforts to encourage reforms and discourage regressive behavior. USCIRF believes that the normalization of relations with Sudan and any considerations of lifting U.S. sanctions must be preceded by concrete action and demonstrated progress by Khartoum in implementing peace agreements, ending abuses of religious freedom and related human rights, and cooperating with efforts to protect civilians.

USCIRF recommends that the U.S. government insist on full CPA implementation and take specific steps to help strengthen religious freedom and related human rights protections in the North and build a strong, democratic, and inclusive South Sudan.

### **I. Insist on Full CPA implementation**

The U.S. government should:

- work with the CPA signatories, in coordination with international partners, to implement the remaining CPA provisions, including:
  - reaching agreement on post-2011 negotiations, prioritizing citizenship protections for Southerners in the North, reflecting Southern guarantees to offer Southern citizenship to Northerners in the South;
  - holding the Abyei referendum and the popular consultations in Southern Kordofan State in a free, fair, and credible manner; and
  - demarcating the North-South border; and
- consider new sanctions, as needed, to respond to noncompliance with CPA terms, including targeted sanctions such as asset freezes and travel bans against responsible individuals and institutions.

### **II. Strengthen Religious Freedom and Related Human Rights Protections in the North**

The U.S. government should:

- insist the government in Khartoum meet the following benchmarks to promote freedom of religion or belief before the United States will normalize relations or lift the IRFA and IEEPA sanctions:
  - repeal laws that punish changing one's religion or encouraging another to do so and end the use of official accusations of blasphemy, apostasy, "offending Islam," or similar charges to stifle public debate or restrict the right to freedom of expression;
  - repeal the Public Order Regime, eliminate the Public Order Police and Public Order Courts, revoke the Public Order Acts, and remove provisions of the 1991 Criminal Act related to "offences of honor, reputation and public morality," including undefined "indecent or immoral acts;"
  - allow all religious groups to conduct their activities without harassment, discrimination or undue interference, including publishing or importing religious literature, building, repairing, and operating houses of worship, and operating social service programs;
  - abandon efforts to force religious organizations to register as non-governmental organizations under regulations that give government officials control over their activities and permit relations between national religious communities and their co-religionists abroad in accordance with universal human rights norms;
  - ensure that state security services are representative of all Sudanese and 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 citizens regardless of religious affiliation or belief;

--cease using government-controlled media to spread messages of intolerance, bigotry, and discrimination against non-Muslims; and

--exclude negative stereotyping in school textbooks; include in school curricula, textbooks, and teacher training the concepts of tolerance and respect for human rights, including freedom of religion or belief; and incorporate into history texts the religious and cultural diversity of Sudan's past;

- urge the government in Khartoum to incorporate in the new constitution protections of freedom of religion or belief, respect for international commitments to human rights, and recognition of Sudan as a multi-religious, multi-ethnic, and multi-cultural nation;
- urge that the constitution-drafting process in the North be transparent and inclusive;
- appoint a ranking official at U.S. Embassy Khartoum, reporting directly to the Ambassador, to work full-time on human rights and monitor human rights abuses, including violations of religious freedom, in the North, as well as advance the U.S. human rights agenda in Sudan;
- urge the retention of the Commission for the Rights of Non-Muslims in the National Capital after the CPA expires and the creation of the National Human Rights Commission, and strengthen their capacity to protect, monitor, and investigate human rights abuses and to promote respect for internationally recognized standards on freedom of religion or belief and related human rights;
- urge the government in Khartoum to 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;
- urge the government in Khartoum to cooperate fully with international mechanisms on human rights issues, 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, and the UN Working Group on Arbitrary Detention; and
- use bilateral and multilateral diplomacy to mount an international campaign to pressure the Sudanese authorities to cooperate fully with the International Criminal Court.

### **III. Build a Strong, Democratic, and Inclusive South Sudan**

The U.S. government should:

- encourage U.S. private investment in Southern Sudan while alleviating the impact of remaining U.S. sanctions on all areas under the control of the Government of South Sudan;
- urge the incorporation in South Sudan's new constitution of international standards for freedom of religion or belief, as found in Article 18 of the Universal Declaration of Human Rights, as well as other international human rights commitments;
- urge that the constitution-drafting process in the South be transparent and inclusive;

- urge passage of an inclusive media law, as well as passage of an inclusive political parties law that permits the formation of parties so long as they do not advocate violence or discrimination and otherwise comply with the transitional constitution of Southern Sudan and international human rights standards in the ICCPR;
- continue to increase substantially the number of technical advisors from all relevant U.S. government agencies, including but not limited to the State Department, U.S. Agency for International Development, Department of Justice, Department of Treasury, and Department of Agriculture, to the Government of South Sudan to promote good governance, administer rule of law, improve administration and delivery of social services and education, and address corruption, and encourage other potential donors to increase technical assistance to Southern Sudan in these areas;
- expand the opportunities for International Visitor Programs, fellowships, internships, or similar exchange programs for Southern Sudanese professionals to increase the capacity of the Government of South Sudan;
- expand partnerships between U.S. universities and the University of Juba to enhance South Sudanese expertise in agriculture, business, law, health care, public administration, public works, education, and other areas to support development efforts;
- take the steps necessary to make feasible the establishment of various security guarantees for South Sudan in order to deter Khartoum from renewing the North-South civil war, including as appropriate, to improve the South's ability to detect air attacks and thus reduce civilian casualties;
- increase technical assistance and expertise or other capacity to bolster the professionalization and human rights performance of the SPLA and the South Sudan Police Force to respond to insecurity, utilizing the State Department's International Military Education and Training (IMET) and International Narcotics and Law Enforcement Affairs (INL) programs;
- increase support for the Government of South Sudan's current, active efforts toward disarmament, demobilization, and reintegration of Southern Sudan's many ex-combatants;
- utilize existing social institutions, including indigenous religious bodies, and strengthen civil society organizations that have special expertise and a demonstrated commitment in the areas of interreligious and inter-ethnic reconciliation and conflict prevention, to promote a peaceful civil society;
- expand technical assistance, training and education to the judicial system in South Sudan to address insecurity in the South and hold perpetrators of violence responsible, including through training and education in the English language, common law system, and legal specialties, as well as assistance to establish a court administration structure, provide reference materials, and develop systems to educate and disseminate to judges and lawyers on Southern laws and decisions;
- increase funding and technical assistance to the Southern Sudan Human Rights Commission;
- expand the provision of U.S. assistance to indigenous civil-society, private-sector groups and provide appropriate technical assistance to enable such groups to prepare project proposals for U.S. grants;

- begin shifting to recovery and development assistance, taking into account the needs of returning IDPs and the absorbing communities, through increased funding for education, health care, economic development, and infrastructure; and
- promote agricultural development in South Sudan with the goal of promoting greater food security and explore providing the SPLA with needed technical expertise and capacity, such as in road construction and other public works, to assist in creating an infrastructure that bolsters economic development.