

SOMALIA 2017 INTERNATIONAL RELIGIOUS FREEDOM REPORT

Executive Summary

The provisional federal constitution (PFC) provides for the right of individuals to practice their religion, makes Islam the state religion, prohibits the propagation of any religion other than Islam, and stipulates all laws must comply with the general principles of sharia. The federal government had limited ability to implement the PFC beyond greater Mogadishu; most other areas of the country were outside its control. Federal state and interim regional administrations, including Somaliland, Puntland, the Interim Juba Administration (IJA), the Interim South West Administration (ISWA), the Interim Hirshabelle Administration (IHA), and the Interim Galmudug Administration (IGA), governed their respective jurisdictions through local legislation but did not fully control them. The constitutions of Somaliland and Puntland declare Islam as the state religion, prohibit Muslims from converting to another religion, bar the propagation of any religion other than Islam, and require all laws to comply with the general principles of sharia. In July Somaliland authorities closed the only Catholic church in Hargeisa; the church had reopened in October 2016. In May the minister of education, culture, and higher education unveiled the National Curriculum Framework for public and private primary and secondary schools, which the minister said was in part to better regulate Islamic instruction.

The terrorist group al-Shabaab killed, maimed, or harassed persons suspected of converting from Islam or those who failed to adhere to the group's religious edicts. During the year, al-Shabaab was responsible for the killings of civilians, government officials, members of parliament, Somali national armed forces, police, and troops from contributing countries of the African Union Mission in Somalia (AMISOM). Al-Shabaab continued its campaign to characterize the AMISOM peacekeeping forces as "Christians" intent on invading and occupying the country. According to *Morning Star News* reports, in February al-Shabaab forces killed a secret Christian convert from Islam, Faduma Osman, and her 11-year-old son and wounded her husband. In June al-Shabaab fighters stormed an army base in Puntland, killing 70 persons and wounding dozens more. Al-Shabaab said it attacked the base because of the presence of foreign soldiers and Puntland "apostates." ISIS-affiliated fighters maintained a presence in the northern regions of Puntland.

There was strong societal pressure to adhere to Sunni Islamic traditions. Conversion from Islam to another religion remained socially unacceptable in all

areas. Those suspected of conversion faced harassment by members of their community.

The U.S. government did not maintain a permanent diplomatic presence in the country. Travel by U.S. government officials to the country continued to increase from previous years, although trips remained limited to areas when security conditions permitted. U.S. government engagement to promote religious freedom focused on supporting efforts to bring stability, reestablish rule of law, and advocate for freedom of speech and assembly.

Section I. Religious Demography

The U.S. government estimates the total population at 11 million (July 2017 estimate). Other sources, including the World Bank, estimate the population to be at least 14 million. According to the federal Ministry of Religious Affairs, more than 99 percent of the population is Sunni Muslim. Members of other religious groups combined constitute less than 1 percent of the population and include a small Christian community, a small Sufi Muslim community, and an unknown number of Shia Muslims. Immigrants and foreign workers, who are mainly from East African countries, belong mainly to other religious groups.

Section II. Status of Government Respect for Religious Freedom

Legal Framework

The PFC provides for the right of individuals to practice their religion but prohibits the propagation of any religion other than Islam. It states all citizens, regardless of religion, have equal rights and duties before the law but establishes Islam as the state religion and requires laws to comply with sharia principles. No exemptions from application of sharia legal principles exist for non-Muslims. The PFC does not explicitly prohibit Muslims from converting to other religions.

The constitutions of the regional administrations of Somaliland in the northwest and Puntland in the northeast make Islam the state religion, prohibit Muslims from converting, prohibit the propagation of any religion other than Islam, and stipulate all laws must comply with the general principles of sharia.

The Somaliland constitution states: “Every person shall have the right to freedom of belief and shall not be compelled to adopt another belief. Islamic Sharia does not accept that a Muslim can renounce his beliefs.” The Puntland constitution

prohibits any law or culture that contravenes Islam and prohibits demonstrations contrary to Islam. The constitution and other laws of Puntland do not define contravention of Islam.

Other regional administrations, including the IGA, IHA, IJA, and ISWA, have constitutions identifying Islam as the official religion. These constitutions stipulate all laws must comply with the general principles of sharia. The IGA, IHA, and ISWA have not enacted laws directly addressing religious freedom.

The national penal code generally remains valid in all regions of the country. It does not prohibit conversion from Islam to another religion, but it criminalizes blasphemy and “defamation of Islam,” which carry penalties of up to two years in prison.

The PFC and the Puntland constitution require the president, but not other office holders, to be Muslim. The Somaliland constitution requires, in addition to Somaliland’s president, the candidates for vice president and the House of Representatives to be Muslim.

The judiciary in most areas relies on *xeer* (traditional and customary law), sharia, and the penal code. Each area individually regulates and enforces religious expression, often inconsistently.

The Somaliland constitution prohibits the formation of political parties based on a particular religious group, religious beliefs, or interpretation of religious doctrine, while the PFC and the constitutions of other regional administrations do not contain this prohibition.

The Ministry of Religious Affairs has legal authority to register religious groups. Guidance on how to register or what is required is inconsistent. The ministry has no ability to enforce such requirements outside of Mogadishu.

Somaliland does not have a mechanism to register religious organizations or specific requirements to register Islamic groups. The Puntland government does not have any laws governing registration or a mechanism to register religious groups. Other regional administrations do not have a mechanism to register religious organizations.

In Puntland, religious schools and formal places of worship must obtain permission to operate from the Puntland Ministry of Justice and Religious Affairs. In

Somaliland, religious schools and formal places of worship must obtain permission to operate from the Somaliland Ministry of Religion. Neither Puntland nor Somaliland law delineates consequences for operating without permission. All other regional administrations require formal places of worship and religious schools to obtain permission to operate from local authorities.

The federal Ministry of Education has the mandate to regulate religious instruction throughout the country. Federal and regional authorities require Islamic instruction in all schools, public or private, except those operated by non-Muslims. Private schools have more leeway to determine their curriculum. Non-Muslim students attending public schools may request an exemption from Islamic instruction, but according to federal and regional authorities, there have been no such requests.

The country is a party to the International Covenant on Political and Civil Rights.

Government Practices

Federal and regional governments maintained bans on the propagation of religions other than Islam, but there were no reports of enforcement. According to federal and regional government officials, there were no cases of individuals charged with apostasy, blasphemy, or defamation of Islam.

The government reportedly continued not to strictly enforce the registration requirement for religious groups opening schools for lay or religious instruction. Many religious groups did not register, but some religious groups said the government did not pursue adverse actions against them.

The Somaliland government neither banned unregistered religious groups nor imposed financial penalties on any religious groups. In July Somaliland authorities closed the only Catholic church in Hargeisa; the church had reopened in October 2016. Government authorities said they closed the church to respect the wishes of the majority Muslim population and their religious leaders who believed the church was trying to sway Muslim believers. Somaliland Religious Affairs Minister Sheikh Khalil Abdullahi publicly said the issue created divisions that were “not in [the region’s] interests.”

The Puntland government neither banned nor imposed financial penalties on any religious groups.

In May the minister of education, culture, and higher education unveiled a national curriculum framework for public and private primary and secondary schools, which he said was designed in part to regulate Islamic instruction more effectively.

Abuses by Foreign Forces and Nonstate Actors

Al-Shabaab continued to impose violently its own interpretation of Islamic law and practices on other Muslims and non-Muslims. Al-Shabaab forces targeted and killed federal government officials and their allies, calling them non-Muslims or apostates. In June hundreds of al-Shabaab fighters stormed an army base in Puntland, killing up to 70 persons and wounding dozens more in one of the deadliest attacks to target Somali security forces. Al-Shabaab said it attacked the base because of the presence of foreign soldiers and Puntland “apostates.”

Between May 21 and May 24, al-Shabaab abducted approximately 70 persons, including women and children, burned numerous homes, and caused more than 15,000 persons to flee their homes during raids in Lower Shabelle, according to the United Nations. Some men who were abducted told human rights groups they were not allowed to pray and did not have access to water for ablutions. According to a Human Rights Watch report, at least two dozen were released following clan intervention, but an unknown number remained in detention.

According to *Morning Star News* reports, in February al-Shabaab forces killed a secret Christian convert from Islam, Faduma Osman, and her 11-year-old son and wounded her husband. Osman’s two daughters and her nine-year-old son escaped and were found safe in another town. On January 10, al-Shabaab announced it had executed a teenage boy and young man in Middle Juba for engaging in sexual conduct.

Al-Shabaab continued its campaign to characterize the AMISOM peacekeeping forces as “Christians” intent on invading and occupying the country. In July al-Shabaab’s ambush on an AMISOM convoy in Lower Shabelle resulted in the deaths of at least 24 soldiers. Al-Shabaab stated it killed the soldiers to protest the continued presence of foreign and western-trained peacekeepers. According to Human Rights Watch, al-Shabaab abducted AMISOM troops during attacks. The Ugandan government confirmed seven Ugandan AMISOM troops remained captive from a 2015 attack on the AMISOM base in Janale. An unknown number of Kenyan and other AMISOM troops also remained captive.

According to humanitarian groups, al-Shabaab continued to threaten to execute anyone suspected of converting to Christianity. In the areas it controlled, al-Shabaab continued to ban cinemas, television, music, the internet, and watching sporting events. It prohibited the sale of khat (a popular stimulant drug), smoking, and behavior it characterized as un-Islamic, such as shaving beards. It also enforced a strict requirement that women wear full veils.

According to humanitarian groups, al-Shabaab continued to harass secular and faith-based humanitarian aid organizations, threatening the lives of their personnel and accusing them of seeking to convert Somalis to Christianity.

Fear of reprisals from al-Shabaab often prevented religious groups from operating freely. Al-Shabaab reportedly threatened to close mosques in areas it controlled if the mosques' teachings did not conform to the group's interpretation of Islam.

In areas under its control, al-Shabaab continued to mandate schools teach a militant form of jihad emphasizing that students should wage war against those it deemed infidels, including countries in the region, the federal government, and AMISOM. Following the introduction of its new education curriculum in April, al-Shabaab began forcing communities in Hirshabelle and Galmudug to enroll children ages seven to 14 into al-Shabaab-managed Quranic schools, according to humanitarian groups. Al-Shabaab arrested or fined parents who failed to comply with the directive. According to humanitarian groups, on June 17, al-Shabaab militants in Xarardhere arrested 17 elders for refusing to obey the group's edict; days later, the group released 15 of the elders who promised to enroll 50 children. On June 20, al-Shabaab threatened parents in Jowle, Dhalwo, and Tulo-Hajji villages for refusing to enroll persons 10 to 20 years old in the newly opened al-Shabaab-managed madrassahs in Jowle and Xarardhere, according to humanitarian groups. On July 4, humanitarian groups reported that at least 100 elders, imams, and teachers of Quranic schools not linked to al-Shabaab were arrested within the vicinity of Warshubo, Xarardhere, for resisting al-Shabaab's school enrollment demands. Reports from humanitarian groups indicated that in early July al-Shabaab abducted at least 45 elders in Ceel Buur for failing to hand over 150 children to the group.

Al-Shabaab extorted high and unpredictable *zakat* (an Islamic obligation to donate to charity during Ramadan) and *sadaqa* (a voluntary charity contribution paid by Muslims) taxes in the regions it controlled, according to humanitarian groups.

A small group of ISIS fighters remained in Puntland and were proponents of sharia. Its strength was estimated as small (approximately 200 combatants), but the group enjoyed relative freedom of movement and recruited from within towns surrounding the Golis Mountains.

Section III. Status of Societal Respect for Religious Freedom

There reportedly continued to be strong societal pressure to adhere to Sunni Islam traditions.

Conversion from Islam to another religion continued to remain socially unacceptable, and individuals suspected of conversion and their families were reportedly subject to harassment from members of their local communities.

Christians and members of other non-Muslim religious groups continued to report they were unable to practice their religion openly due to fear of harassment across most of the country. The small Christian community continued to keep a low profile with regard to religious beliefs and practices. Other non-Islamic groups likely also refrained from openly practicing their religion.

There were no public places of worship for non-Muslims in the country.

Private schools were the primary source of education. The majority offered religious instruction in Islam. Externally funded madrassahs throughout the country provided inexpensive basic education, and many taught Salafist ideology, especially in al-Shabaab controlled areas.

Section IV. U.S. Government Policy

Travel by U.S. government officials to the country continued to increase during the year, although trips remained limited to select areas and only when security conditions permitted. Embassy officials met with Ministry of Religious Affairs officials and religious leaders to advocate the promotion of religious tolerance. U.S. government efforts to promote religious freedom focused on supporting the efforts of the government to bring stability, reestablish rule of law, and advocate for freedom of speech and assembly.