

# SOMALIA 2018 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. Most areas of the country beyond greater Mogadishu remained outside federal government control. Federal Member State (FMS) administrations, including Puntland, Jubaland, South West State, Hirshabelle, Galmudug, and self-declared independent Somaliland, governed their respective jurisdictions through local legislation but did not fully control them. The constitutions of Somaliland and Puntland State 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 August Somaliland officials arrested a U.S. citizen employed by a Catholic relief organization in Burao, Somaliland and accused her of proselytizing. The federal Ministry of Education, Culture, and Higher Education unveiled a national curriculum framework, announced in 2017, and new legislation for public and private primary and secondary schools in an effort to develop a national curriculum. These initiatives would require Arabic language and Islamic religion, taught in Arabic, as mandatory subjects.

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 March al-Shabaab forces continued to seek out 35 orphans of underground Christians living in Mogadishu. In July the militant group attacked the Baar Sanguni military camp in the lower Juba region, killing four Somalia National Army (SNA) soldiers and resulting in the deaths of seven al-Shabaab militants. In March al-Shabaab attacked the position of Ugandan People's Defense Force (UPDF) troops serving in Bulamarer as a component of AMISOM, killing at least eight troops. Al-Shabaab, which launched a primary and secondary curriculum in June 2017, continued during the year to threaten parents, teachers, and communities who failed to adhere to al-Shabaab's precepts.

Strong societal pressure to adhere to Sunni Islamic traditions continued. Conversion from Islam to another religion remained illegal in some areas and socially unacceptable in all. Those suspected of conversion faced harassment by members of their community.

In December the U.S. government reestablished a permanent diplomatic presence in the country for the first time since 1991. 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. In late August and September embassy officials engaged with Somaliland authorities to secure the release of an American citizen arrested on charges of proselytizing. 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 11.3 million (July 2018 estimate). Other sources, including the World Bank, estimate the population to be at least 14.7 million. According to the federal Ministry of Religious Affairs, more than 99 percent of the population is Sunni Muslim. According to the World Atlas, members of other religious groups combined constitute less than 1 percent of the population and include a small Christian community of approximately 1,000 individuals, a small Sufi Muslim community, and an unknown number of Shia Muslims, Hindus, Buddhists, Jews, and those not affiliated with any religion. Immigrants and foreign workers, who are primarily from East African countries, belong mainly to non-Muslim religious groups.

The Somali Bantu population largely inhabits the southern and central regions of the country near the Shebelle and Jubba rivers. The majority of the Somali Bantu population are Muslim, but continue to maintain traditional animist beliefs.

### **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. While the PFC

does not explicitly prohibit Muslims from converting to other religions, sharia forbids conversion from Islam. No exemptions from application of sharia legal principles exist for non-Muslims.

The constitutions of Somaliland in the northwest and Puntland State 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 State constitution prohibits any law or culture that contravenes Islam and prohibits demonstrations contrary to Islam. The constitution and other laws of Puntland State do not define contravention of Islam.

Other interim FMS administrations, including Galmudug, Hirshabelle, Jubaland, and South West State, have constitutions identifying Islam as the official religion. These constitutions stipulate all laws must comply with the general principles of sharia. The Galmudug, Hirshabelle, and South West State interim administrations 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.

Both the PFC and the Puntland State 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 state administrations do not contain this prohibition.

The federal 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 has no mechanism to register religious organizations and no specific requirements to register Islamic groups. The Puntland State government has no laws governing registration and no mechanism to register religious groups. Other FMS administrations have no mechanism to register religious organizations.

In Puntland State, 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 State nor Somaliland law delineates consequences for operating without permission. The FMS 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. The PFC and FMS authorities require Islamic instruction in all schools, public or private, except those operated by non-Muslims. Private schools have more flexibility in determining their curriculum. These schools must request approval of the federal Ministry of Education; however, requests are infrequent. Non-Muslim students attending public schools may request an exemption from Islamic instruction, but according to federal and FMS authorities, there have been no such requests.

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

### **Government Practices**

In August Somaliland officials arrested a U.S. citizen employed by a Catholic relief organization in Burao, Somaliland, and accused her of proselytizing. Somaliland authorities eventually released her and she departed the country.

In April the South West State Ministry of Internal Security, transferred 11 children ages nine to 17 attending an al-Shabaab madrassa in Baidoa District to a rehabilitation center in the town of Baidoa.

Federal and FMS governments maintained bans on the propagation of religions other than Islam, and there was one report of enforcement in Somaliland.

The federal government reportedly continued not to strictly enforce the registration requirement for religious groups opening schools for lay or religious instruction.

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

The federal Ministry of Education, Culture, and Higher Education launched a new national curriculum framework, announced in 2017, and new legislation for public and private primary and secondary schools to implement the curriculum framework. The initiative mandates Somali as the language of instruction for primary school, Islamic religious instruction at all levels, and Arabic-language Islamic religion courses at the secondary level.

The federal minister of endowments and religious affairs noted the ministry's ambitious efforts to promote religious tolerance and messaging to counter al-Shabaab ideology but stated such efforts were underresourced.

### **Abuses by Foreign Forces and Nonstate Actors**

Al-Shabaab continued to impose its own interpretation of Islamic practices and sharia on other Muslims and non-Muslims, including executions as a penalty for alleged apostasy. Al-Shabaab forces targeted and killed federal government officials and their allies, calling them non-Muslims or apostates. In July al-Shabaab attacked the Baar Sanguni military camp in the lower Juba region, resulting in the deaths of at least four SNA soldiers and seven al-Shabaab militants.

According to *Morning Star News* reports, an underground Christian pastor in charge of an orphanage for children of deceased Christian parents said in March that al-Shabaab was hunting the 35 children residing there.

Al-Shabaab extorted high and unpredictable *zakat* (an Islamic obligation to donate charity during Ramadan) and *sadaqa* (a voluntary charity contribution paid by Muslims) taxes in the regions it controlled, according to humanitarian groups. In October al-Shabaab released a photo online purporting to show al-Shabaab main spokesperson Sheikh Ali Dheere and other members distributing *zakat* it had collected to residents of Mogadishu.

Al-Shabaab continued its campaign to characterize the AMISOM peacekeeping forces as “Christians” intent on invading and occupying the country. In March al-Shabaab attacked an AMISOM position staffed by UPDF troops in Bulamarer. According to an SNA official, as many as 46 Ugandans were killed. Ugandan President Museveni said al-Shabaab killed eight troops, while al-Shabaab claimed it killed 59 troops.

According to humanitarian groups, al-Shabaab continued threatening 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 plant), smoking, and other behavior it characterized as un-Islamic, such as shaving beards. It also enforced a 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 individuals to Christianity. In March al-Shabaab claimed responsibility for an improvised explosive device that exploded outside the International Committee of the Red Cross office in Mogadishu, killing one staff member.

In areas under its control, al-Shabaab continued to mandate schools teach a militant form of jihad emphasizing that students should wage war on those it deemed infidels, including in nearby countries, the federal government, and AMISOM. In October *Hiraan Online* quoted al-Shabaab spokesperson Ali Dheere warning the country’s independent education networks that al-Shabaab would take strong action against them if they collaborated with the federal government. Al-Shabaab continued its forced recruitment of children in areas under its control in southern and central regions, including the town of Aad, Mudug Region. On July 10, five Aad residents died in clashes between the residents and al-Shabaab forces after al-Shabaab militants demanded the town hand over children to fight with the organization. The Galmudug FMS Deputy Security Minister said, “They [al-Shabaab] want to take away their children and take them to their madrassahs. The people have rejected this.”

A small faction of ISIS fighters based in Puntland State continued to carry out terrorist attacks with the objective of establishing an ISIS caliphate in Somalia. The group’s estimated strength was approximately 200 combatants, but it had relative freedom of movement and recruited individuals from towns surrounding the Golis Mountains. The nonresident apostolic administrator of Mogadishu,

Giorgio Bertin, told Catholic News Service in February that ISIS had chosen the location because the faction could continue spreading its ideology without many obstacles.

### **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 be 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 their inability to practice their religion openly due to fear of societal 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 continued to be no public places of worship for non-Muslims in the country.

Private schools continued to be the primary source of education. The majority offered religious instruction in Islam. Quranic schools remained key sources of basic formal education for a majority of the country's children. 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. In late August and September embassy officials engaged with Somaliland authorities to secure the release of an American citizen arrested on charges of proselytizing. U.S. government engagement 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.