

SOMALIA 2020 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 remain outside federal government control. Federal Member State (FMS) administrations, including Puntland, Jubaland, South West State, Hirshabelle, Galmudug, and self-declared independent Somaliland, govern their respective jurisdictions through local legislation but did not fully control them. Somaliland's constitution declares Islam the state religion, prohibits Muslims from converting to another religion, bars the propagation of any religion other than Islam, and requires all laws to comply with the general principles of sharia. According to media, on October 5, Somaliland authorities arrested a married couple in the village of Mohamed Mooge for Christian proselytizing. The arrest prompted calls from some Somali religious leaders for the two, who are converts from Islam to Christianity, to be charged with apostasy under sharia. On November 5, the couple was "deported" to Mogadishu upon the order of a Somaliland court. The Federal Ministry of Education, Culture, and Higher Education continued to implement its new curriculum, declaring that a secular education with a focus on Islamic values and instruction in Somali was important in order to counter efforts by the terrorist group al-Shabaab to impose a strict version of Islamic law.

During the year, al-Shabaab attacked government-linked forces and targets throughout the country and pressured noncombatants to support the group's extremist ideology. According to media reports, al-Shabaab killed, injured, or harassed persons suspected of converting from Islam or 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 "Christian crusaders" intent on invading and occupying the country. During the year, the group conducted public executions of persons whom the group accused of committing crimes such as sorcery and spying, according to local and international press reports. In September, al-Shabaab took responsibility for a suicide bombing that killed three outside a mosque following Friday prayers in Kismayo. Al-Shabaab continued its practice of targeting humanitarian aid workers, often accusing them of seeking to

convert individuals to Christianity; this included incidents in February, April, and May of kidnapping and holding for ransom. From January to November, 13 aid workers were killed, 12 were injured, and 23 were abducted.

In September, media reported that unknown gunmen killed five Quran teachers and wounded several others during Quran readings in the town of Rage Ele. Strong societal pressure to adhere to Sunni Islamic traditions continued. Following a presidential pardon and his release from prison in January, Professor Mahmoud Jama Ahmed, who was imprisoned for blasphemy in April 2019, was labeled an apostate by a local imam who called for his death during Friday prayers. 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. According to *Morningstar News*, in October, several Muslim teenagers in the town of Dhobley targeted a seven-year-old Christian boy and beat him severely. Externally funded madrassahs throughout the country continued to provide inexpensive basic education, and many taught Salafist ideology, especially in al-Shabaab-controlled areas, according to observers.

Travel by U.S. government officials remained limited to select areas when security conditions permitted. U.S. government engagement to promote religious freedom remained focused on supporting efforts to bring stability and reestablish rule of law, in addition to advocating for freedom of speech and assembly. For example, on May 21, the Ambassador engaged with Islamic leaders to discuss their role in promoting healthy civic dialogue and religious freedom, as well as the role of foreign influence in the country's practice of Islam.

Section I. Religious Demography

The U.S. government estimates the total population at 11.8 million (midyear 2020 estimate). Other sources, including the World Bank, estimate the population to be at least 15.4 million. According to the Federal Ministry of Endowments and 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; a small Sufi Muslim community; and an unknown number of Shia Muslims, Hindus, Buddhists, Jews, and those not affiliated with any religion. Foreign workers, who are primarily from East African countries, belong mainly to non-Muslim religious groups.

The Somali Bantu population, the majority of whom are Muslim, largely inhabits the southern and central regions of the country near the Shabelle and Jubba Rivers. Some Somali Bantu also 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 has been interpreted to forbid conversion from Islam. No exemptions from application of sharia legal principles exist for non-Muslims under the law.

Somaliland's constitution makes Islam the state religion, prohibits Muslims from converting, prohibits the propagation of any religion other than Islam, and stipulates all laws must comply with the general principles of sharia. Other 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. Galmudug, Hirshabelle, and South West State 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. Given sharia's role as the ostensible basis for national laws and the prohibition under Islamic jurisprudence for Muslims' conversion to other religions, the relationship among sharia, the PFC, and the penal code remains unclear.

The PFC requires the President, but not other office holders, to be Muslim. The Somaliland constitution requires Somaliland's President and 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. *Xeer* is believed to predate Islamic and colonial traditions, and in many areas, elders will look to local precedents of *xeer* before examining relevant sharia references. Each area individually regulates and enforces religious

expression, often inconsistently. In areas controlled by al-Shabaab, sharia is the only formally recognized legal system, although reports indicate that xeer is applied in some cases. The PFC recognizes xeer as a mechanism for dispute resolution. In 2017, the federal government adopted a traditional dispute resolution policy that mainstreams the application of xeer but limits its application to mediating “nonserious” crimes. The application of xeer to criminal matters is not standardized.

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 FMS administrations do not contain this prohibition.

The Federal Ministry of Endowments and 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. Other FMS administrations have no mechanism to register religious organizations.

In Somaliland, religious schools and formal places of worship must obtain permission to operate from the Somaliland Ministry of Religion. Somaliland law does not articulate consequences for operating without permission. Other FMS administrations require formal places of worship and religious schools to obtain permission to operate from local authorities.

The Federal Ministry of Endowments and Religious Affairs is responsible for monitoring religious affairs and promoting religious tolerance between practitioners of Islam and members of minority religious groups. Specific responsibilities of the ministry include arranging affairs for Somali Hajj pilgrims and developing messaging to counter al-Shabaab ideology. It also has the mandate to regulate religious instruction throughout the country. The law requires Islamic instruction in all schools, public or private. Private schools have more flexibility in determining their curriculum. These schools must request approval from the Federal Ministry of Education, Culture, and Higher 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

The federal government continued to confront multiple challenges, including a persistent threat from al-Shabaab, a stalemate in relations with the FMS governments, and attempts by external actors to increase influence at the subnational level. Despite the government's reported attempts to strengthen governance, reform key security institutions, and carry out operations to combat al-Shabaab, the terrorist group continued to carry out attacks regularly in the capital and to control large land areas throughout the southern and central parts of the country.

Federal and FMS governments maintained bans on the propagation of religions other than Islam. The federal government reportedly continued not to strictly enforce the registration requirement for religious groups opening schools for lay or religious instruction.

According to *Somaliland Today* and international reporting, on October 5, Somaliland authorities arrested a married couple in the village of Mohamed Mooge for Christian proselytizing. The arrest prompted calls from some religious leaders for the two, who are converts from Islam to Christianity, to be charged with apostasy under sharia. While not prohibited under Somaliland's penal code, international community observers said they feared the apostasy charge could carry the death penalty. According to Christian nongovernmental organizations (NGOs) tracking the case, on November 5, the couple was "deported" to Mogadishu upon the order of a Somaliland court.

The Federal Ministry of Education, Culture, and Higher Education continued to implement a new national curriculum framework, declaring that a secular education with a focus on Islamic values and instruction in Somali was important in order to counter efforts by the terrorist group al-Shabaab to impose a strict version of Islamic law. By year's end, however, parliament had not passed the draft law establishing the new system. 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. Muslim clerics helped create the new materials and trained teachers in Islamic ethics, according to ministry representatives.

Actions of Foreign Forces and Nonstate Actors

Al-Shabaab continued to wage guerilla war against the government and its foreign partners, striking civilian targets indiscriminately, as well as military targets. The army, security forces, and AMISOM peacekeepers held most urban centers in the country, while al-Shabaab maintained direct control or influence over large land areas. While the group's territorial control was fluid, a UN official stated that during the year, the group retained its ability to conduct large-scale attacks in Mogadishu and recovered areas where the group had previously faced pressure from government-aligned forces, including in the Lower Shabelle region. The group's stated objective remained the ousting of the "western-backed" government and imposition of a strict version of Islamic law. 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 in areas under its control, according to media outlets.

Al-Shabaab forces targeted and killed federal and local government officials and their allies, calling them non-Muslims or apostates. Many attacks involved the use of improvised explosive devices against government-linked forces and buildings, as well as soft targets such as popular hotels frequented by noncombatants in areas under government control. Throughout the year, the group continued its practice of conducting public executions of persons whom the group suspected of committing crimes, including witchcraft and spying on behalf of foreign powers.

In September, a suicide bomber killed the Jubaland Chamber of Commerce chairperson and two others near a mosque in Kismayo as they walked home following Friday prayers. Al-Shabaab claimed responsibility for the attack.

Al-Shabaab extorted *zakat* (an Islamic annual compulsory giving of a set amount, typically 2.5 percent of one's wealth, to benefit the poor) and *sadaqa* (a normally voluntary charitable contribution paid by Muslims) from persons throughout central and southern areas of the country. According to one company's research analysis, al-Shabaab's collection of *zakat* and *sadaqa* accounted for approximately \$14.5 million in revenue during the year.

Persons who failed to comply with demands for *zakat* and resource donations faced credible threats of violence. In September, al-Shabaab militants attacked local villagers in Galmudug State who had refused to contribute livestock and small arms, according to an international press report. Al-Shabaab continued to threaten parents, teachers, and communities who failed to adhere to al-Shabaab's precepts.

Al-Shabaab continued its campaign to characterize the AMISOM peacekeeping forces as “Christian crusaders” intent on invading and occupying the country.

According to humanitarian groups, al-Shabaab continued threatening to execute anyone suspected of converting to Christianity. In the areas it controlled, the group 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 NGOs and security experts, al-Shabaab continued to exploit federal government and FMS political infighting and ethnic clan rivalries for its own purposes, at times being seen as the only group that provided “justice,” however harsh, in places underserved or neglected by the government.

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. Compared with the same period in 2019, there was a notable increase in violence against aid workers. From January to November, 13 aid workers were killed, 12 were injured, and 23 were abducted. Al-Shabaab kidnapped aid workers in February, April, and May in the Gedo, Bay, and Lower Juba regions.

In areas under its control, al-Shabaab continued to mandate that schools teach a militant form of jihad emphasizing that students should wage war on those it deemed infidels, including in nearby countries, and against the federal government and AMISOM. In the Afgoye District of Lower Shabelle, al-Shabaab reportedly maintained boarding schools to indoctrinate youth from distinct clans and forced those clans to provide funding for the institutes dedicated to their youth.

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 the country. Experts estimated the group’s strength was between 300 and 400 fighters. The group had relatively free movement and recruited individuals from towns surrounding the Golis Mountains.

Section III. Status of Societal Respect for Religious Freedom

In September, media reported that unknown gunmen killed five Quran teachers and wounded several others during Quran readings in the town of Rage Ele. According

to local police, the attacks were likely in retaliation for past violence between rival clans.

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

In January, Professor Mahmoud Jama Ahmed received a presidential pardon for charges of blasphemy and was released from prison on condition that he not practice any clerical activity; he was also suspended from university work for five years. In April 2019, authorities sentenced Ahmed to two and one-half years in prison after he posted on social media a statement questioning whether praying for water was a useful strategy for overcoming drought in the country and suggesting authorities should take a more scientific approach. The post was widely perceived as blasphemous. Following Ahmed's release from prison, Adam Sunnah, a local imam, labeled him an apostate and called for his death during Friday prayers.

Conversion from Islam to another religion remained illegal in some areas and continued to be socially unacceptable in all, while 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 an 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. According to *Morningstar News*, in October, several Muslim teenagers in the town of Dhobley targeted a seven-year-old Christian boy and beat him severely. The boy later recovered in the hospital. According to the boy's father, "It is not possible to get justice in this part of Somalia where almost everyone is a Muslim." He also said, "We are being hunted down like wild animals" because of their Christian faith.

There continued to be no public places of worship for non-Muslims other than in the international airport compound.

The only Catholic church in Somaliland remained closed, and observers stated that its reopening would be controversial. The church was briefly reopened in 2017 but closed again by authorities, under public pressure.

Private schools continued to be the main source of primary education. The majority offered religious instruction in Islam. Quranic schools remained key sources of early education for most children. Integrated Quranic schools, in which both a religious and secular curriculum were taught, still operated. Externally funded madrassahs throughout the country provided inexpensive basic education, and many taught Salafist ideology, especially in al-Shabaab-controlled areas, according to observers.

Although reliable data was hard to obtain, especially in the rural areas, the majority of young children appeared to be enrolled in Quranic schools, which fell under the authority of the Federal Ministry of Endowments and Religious Affairs and were typically managed by community-level organizations. According to government documents, many Quranic schools received funding from external sources. The Federal Ministry of Education, Culture, and Higher Education stated it was beginning to develop a preprimary curriculum, but general implementation, and particularly acceptance by Quranic schools, was unclear.

Section IV. U.S. Government Policy

Travel by U.S. government officials remained limited to select areas in Mogadishu when security conditions permitted. U.S. government engagement to promote religious freedom focused on supporting the efforts of the government to bring stability and reestablish rule of law, in addition to advocating for freedom of speech and assembly. The embassy engaged with officials and opposition figures to dissuade the use of religion to threaten those with differing political or religious perspectives. For example, on May 21, the Ambassador engaged with Islamic leaders to discuss their role in promoting healthy civic dialogue and religious freedom, as well as the role of foreign influence in the country's practice of Islam.

Embassy programs targeted socially marginalized individuals in areas where al-Shabaab maintained territorial control and continued to exert influence. They also focused on creating alternatives to al-Shabaab-administered sharia courts and justice systems.