

# **SOMALIA 2021 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 do 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 several Christian advocacy groups working in the region, on January 25, Somaliland police in Hargeisa arrested six local residents on charges of offenses against the state religion and inciting others to disobey laws relating to public order. On August 5, a Hargeisa court dismissed all charges against the group and released them immediately. The Federal Ministry of Education, Culture, and Higher Education continued to implement its 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, the terrorist group 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 for a variety of reasons, including failure to adhere to the group's religious edicts. During the year, al-Shabaab was responsible for the killings of civilians, government officials, Somali security 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. Al-Shabaab continued its practice of targeting humanitarian aid workers, often accusing them of seeking to convert individuals to Christianity. Compared with the same period in 2020, there was a decrease in violence against aid workers. From January to October, the UN Office for the Coordination of Humanitarian Affairs' Access Unit recorded at least 194

security incidents that directly affected humanitarian operations, with two aid workers killed, eight injured, 11 detained, and one abducted.

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

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.

## **Section I. Religious Demography**

The U.S. government estimates the total population at 12.1 million (midyear 2021). Other sources, including the Federal Government of Somalia, estimate the population to be at least 15.7 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.

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 do not have 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 curricula. 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 terrorist organization that promotes extreme interpretations of Islamic doctrine, including through violence, 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 areas throughout the southern part 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 several Christian advocacy groups working in the region, on January 25, Somaliland police in Hargeisa arrested six local residents on charges of offenses against the state religion (Islam) and inciting others to disobey laws relating to public order. Three of them were also charged with apostasy and with spreading and teaching Christianity. These groups stated that Somaliland authorities denied their lawyers access to their clients ahead of the trial. On August 5, a Hargeisa court dismissed all charges against the group and released them immediately.

The Federal Ministry of Education, Culture, and Higher Education continued to implement its 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. In February, parliament adopted the Education Act which harmonized the structure of the education system, including religious education. This includes Somali as the language of instruction for primary school, Islamic religious instruction at all levels, and Arabic-language Islamic religion courses beginning at the primary level. Muslim clerics approved the new materials and trained teachers in Islamic ethics, according to ministry representatives.

### **Actions of Foreign Forces and Nonstate Actors**

Al-Shabaab continued to use insurgency tactics against the government and its foreign partners, striking civilian and military targets repeatedly. On January 31, al-Shabaab carried out a car bomb attack on Mogadishu's Afrik Hotel, killing five persons, including former defense minister General Mohamed Nur Galaal. On February 23, a suspected al-Shabaab member threw what was reported to be a suicide vest near a police station in Mogadishu's Hamarweyne district, injuring three persons, including a police station commander. On July 21, the terrorist group targeted the international airport in Mogadishu with mortars, resulting in injuries to two UN contractors. On November 11, an al-Shabaab suicide bomber targeted an AMISOM convoy in Mogadishu, killing at least three civilians and wounding several others. On November 20, the group killed Abdiaziz Mohamud Guled, known professionally as "Afrika", a journalist and director of state-owned Radio Mogadishu, and wounded Sharmarke Mohamed Warsame, director of state-owned Somali National Television, and a driver in a targeted attack.

The army, security forces, and AMISOM peacekeepers held most urban centers in the country, while al-Shabaab maintained control or influence over land areas. While the group's territorial control was fluid, the United Nations said that during

the year, the group retained its ability to conduct attacks in Mogadishu and recovered areas where the group had previously faced pressure from government-aligned forces, including in the Lower Shabelle region and in Galmudug. The group's stated objective remained the imposition of a strict version of Islamic law in "greater Somalia." Al-Shabaab continued to impose its own interpretation of Islamic practices and sharia on other Muslims and non-Muslims. According to UN reporting, as of July 31, the terrorist group publicly executed 19 civilians, including a woman, after self-appointed "courts" accused 18 of them of spying for foreign forces and one of murdering two civilians. On May 22, al-Shabaab amputated the right hand of a male civilian for theft in Middle Shabelle region.

Al-Shabaab forces targeted and killed federal and local government officials and their allies. Many attacks involved the use of improvised explosive devices against government-linked forces and buildings, as well as soft targets such as popular hotels and restaurants 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.

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 multiple sources, al-Shabaab's collection of *zakat*, *sadaqa*, and other extortion generated tens of millions in revenue.

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 nongovernmental organizations 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 2020, violence against aid workers decreased. From January to October, the UN Office for the Coordination of Humanitarian Affairs’ Access Unit recorded at least 194 security incidents that directly affected humanitarian operations, including two aid workers killed, eight injured, 11 detained, and one abducted.

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.

ISIS Somalia functioned as a hub for funding, strategic guidance, and liaising among regional ISIS networks, according to terrorism experts. A small faction of Puntland-based ISIS fighters continued to carry out terrorist attacks with the objective of establishing an ISIS caliphate in the country. The UN Panel of Experts estimated the group’s strength was 340 in 2019 but had decreased since that time. The group had relatively free movement and recruited individuals from 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 Islamic traditions.

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.

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 was 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. The education system also includes Islamic institutes that run parallel to general primary education and general secondary education and that result in an Islamic education certificate. 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, parents remained the primary source of funding of all schooling in the country, but 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.

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.