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U.S. DEPARTMENT of STATE

Somalia

International Religious Freedom Report 2007

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While the Transitional Federal Government (TFG) Charter, article 15 states that "All citizens of the Somali Republic are equal before the law ...have the right to equal protection and equal benefit of the law without distinction of race, birth, language, religion, sex or political affiliation," there were limits on religious freedom.

There was no change in the status of respect for religious freedom during the period covered by this report.

Extremist groups and individuals previously affiliated with the Union of Islamic Courts (UIC), particularly Hassan Abdullah "al-Turki" in the Lower Jubba region, at times attempted to impose a strict interpretation of Shari'a law that conflicted with cultural traditions.

The U.S. Government does not maintain an official presence in the country. The lack of diplomatic representation limited the ability of the U.S. Government to take action to promote religious freedom.

Section I. Religious Demography

The country has an area of 246,200 square miles and a population of approximately 8.3 million; however, population figures are difficult to estimate due to the instability of the country. Citizens are overwhelmingly Sunni Muslims of a Sufi tradition. There also is a small, extremely low-profile Christian community, in addition of small numbers of followers of other religions. The number of adherents to strains of conservative Islam and the number of Islamic schools supported by religiously conservative sources continue to grow.

Section II. Status of Religious Freedom

Legal/Policy Framework

The TFG Charter, article 15 states that "All citizens of the Somali Republic are equal before the law...have the right to equal protection and equal benefit of the law without distinction of race, birth, language, religion, sex or political affiliation."

While the Charter does not possess a section which limits or protects religious practice, article 71(2) decrees that the 1960 Somalia Constitution and other national laws shall apply "in respect of all matters not covered and not inconsistent with this Charter." The 1960 Somalia Constitution, article 29 states, "Every person has the right to freedom of conscience and to freely profess his own religion and to worship it subject to any limitations which may be prescribed by law for the purpose of safeguarding morals, public health, [and] order."

The nascent central government is able to exercise control over very limited territory. Following internationally mediated negotiations in Kenya in 2004, a 5-year transitional process was established, which included drafting a charter, establishment of transitional federal institutions, and a TFG. The TFG formally began operating in Baidoa in February 2006. Deep divisions within the transitional institutions continued to hamper progress on governance, but regular meetings of Parliament and a portion of the Cabinet began to take place. After the defeat of the UIC, the president of the TFG declared a state of emergency on January 31, 2007 and officially moved the seat of government to Mogadishu on March 13, 2007. The northern region of Somaliland does not recognize the Charter or the transitional process, and is seeking recognition as an independent nation.

The Charter establishes Islam as the national religion. Several sheikhs have publicly urged the TFG to reflect a commitment to Islamic governance and morals. Some local administrations, including the self-declared "Republic of Somaliland" and the semi-autonomous region of Puntland, have made Islam the official religion in their regions; however, regional authorities generally do not espouse rhetoric against non-Muslims. Puntland security forces monitored religious activities very closely. Article 6.3 of the Puntland Charter prohibits torture "unless sentenced by Islamic Shari'a Courts in accordance with Islamic Shari'a law." The judiciary in most regions relies on some combination of Shari'a, traditional and customary law (Xeer), and the penal code of the pre-1991 Siad Barre government.

In Somaliland religious schools and places of worship are required to obtain the Ministry of Religion's permission to operate. There are a significant number of externally funded madrassahs throughout the country. These schools provide inexpensive basic education but adhere to conservative Islamic practices. Mogadishu University, the University of East Africa in Bosaso, Puntland, and many secondary schools in Mogadishu are externally funded and administered through organizations affiliated with Al-Islah, an Islamic organization.

The Ministry must approve entry visas for religious groups, and certain unspecified doctrines are socially prohibited. Religious practices outside of Islam by ethnic Somalis are not culturally acceptable. In Puntland religious schools and places of worship must receive permission to operate from the Ministry of Justice and Religious Affairs.

Restrictions on Religious Freedom

Proselytizing for any religion except Islam is prohibited in Puntland and Somaliland and effectively blocked by informal social consensus elsewhere in the country. Christian-based international relief organizations generally operated without interference, provided that they refrained from proselytizing.

On May 8, 2007, TFG forces confiscated face veils from women in Mogadishu and subsequently burned the veils. TFG authorities stated that hooded criminals disguised as women had participated in attacks against security forces, which warranted banning of the face veil within the capital. Following a public outcry, the mayor of Mogadishu denied any responsibility for the ban and called for its immediate suspension.

There were no reports religious prisoners or detainees in the country.

Forced Religious Conversion

There were no reports of forced religious conversion, including of U.S. minors who had been abducted or illegally removed from the United States, or of the refusal to allow such citizens to be returned to the United States.

Section III. Societal Abuses and Discrimination

Non-Sunni Muslims were often viewed with suspicion by members of the Sunni majority. Non-Muslims who practiced their religion openly faced occasional societal harassment. Although not legally prohibited, conversion from Islam to another religion is socially unacceptable. Those suspected of conversion faced harassment or even death.

On May 11, 2007, Islamist websites attributed the kidnapping of two aid workers in Puntland to the aid workers having allegedly used the provision of assistance as a pretext for proselytizing. Similar claims were made against Ethiopians who the Islamists have stated were attempting to Christianize the country as part of their military occupation.

Local Shari'a courts, which often implement a combination of Shari'a and Somali customary law, continued to operate throughout the country in the absence of a national judicial system operated by a central government. In 2006 the UIC and the Shari'a courts throughout Mogadishu and areas southeast of Mogadishu asserted their authority and enforced a conservative interpretation of Islamic practices and Shari'a. In October 2006 the UIC called for jihad against Ethiopia for supporting the TFG and appealed to international jihadists to come to its aid.

Media reports indicate that on December 6, 2006, Sheikh Hussein Barre, then chairman of the UIC in Bula Burte, a town approximately 130 miles northeast of Mogadishu, threatened to behead any residents who failed to pray five times a day. Hussein also decreed that all shops should close, and he warned people against idling on town streets during prayer times. There were no reports that this declaration was enforced.

On September 17, 2006, Leonella Sgorbati, an Italian nun, was killed at a hospital in Mogadishu by gunmen, hours after a leading Muslim cleric, Sheikh Abukar Hassan, condemned Pope Benedict XVI for his remarks on Islam and violence. Hassan declared, "Whoever offends our Prophet Muhammad should be killed on the spot by the nearest Muslim."

Some residents in Mogadishu objected to strict interpretations of Islamic law imposed by the UIC that forbid many forms of entertainment, such as the screening of movies or soccer matches. In one instance a Shari'a court reportedly ordered one group of youths to have their heads shaved and be flogged for protesting a ban on public broadcasts of World Cup soccer matches. The UIC imposed media restrictions and warned the media against disseminating information critical of Islam. There is strong societal pressure to respect traditions which reflect the traditional Somali interpretation of Sufi Islam.

Section IV. U.S. Government Policy

The U.S. Government does not maintain a diplomatic presence, and travel to the country by U.S. Government officials is restricted. The central Government remained too weak to adequately engage on issues of religious freedom; regional and self-proclaimed authorities were unresponsive due to the lack of U.S. diplomatic recognition of or representation to them. These restraints limited the U.S. Government's ability to take action to promote religious freedom in the country.

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