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Somalia

International Religious Freedom Report 2005

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There is no constitution and no legal provision for the protection of religious freedom; 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.

There is strong societal pressure to respect Islamic traditions, especially in enclaves still influenced but not controlled by radical Islamists in the Lower Juba region.

The U.S. Government does not maintain an official presence in the country. The lack of diplomatic representation has 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 its population is approximately 8.3 million; however, population figures are difficult to estimate due to the instability of the country. Citizens overwhelmingly are Sunni Muslim. There also is a small, extremely low-profile Christian community, in addition to small numbers of followers of other religions. The number of adherents to strains of conservative Islam is growing. The number of Islamic schools funded by religiously conservative sources continued to grow.

Section II. Status of Religious Freedom

Legal/Policy Framework

There is no constitution and no legal provision for the protection of religious freedom. There were limits on religious freedom imposed by self-appointed officials and authorities and through societal attitude.

There is no central government. A Transitional Federal Government (TFG) was created in October 2004 following the Somalia National Reconciliation Conference in Mbagathi, Kenya; however, that government remained in exile in Kenya through the end of 2004. The TFG adopted a Transitional Federal Charter in 2004 but could not implement it while in exile. Members of the TFG returned to Somalia in June 2005, but deep divisions have split the transitional institutions over issues related to the Transitional Federal Charter, the seat of the TFG, and the nature of possible involvement in Somalia by neighboring countries.

The charter establishes Islam as the national religion. Several sheikhs have announced that the TFG must 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.

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. Shari'a courts throughout Mogadishu are asserting their authority, attracting support from businessmen, and sometimes, at least superficially, working across clan lines (clan membership forms the primary basis for identity and loyalty).

In Somaliland, religious schools and places of worship are required to obtain the Ministry of Religion's permission to operate. The Ministry must approve entry visas for religious groups, and certain unspecified doctrines are prohibited. Religious schools and places of worship in Puntland 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. Although Christian-based international relief organizations generally operate without interference, provided that they refrain from proselytizing, there were several attacks against non-Muslim international relief workers in 2003.

In April 2004, thousands of citizens marched through the streets in Mogadishu and in the southern coastal town of Merca to protest what they believed was an attempt by aid agencies to spread Christianity. Muslim scholars organized the protest following reports that school children received gifts with Christian emblems alongside charitable aid. The protesters set ablaze hundreds of cartons containing goods, some marked only as gifts from the "Swiss Church." The protesters warned the aid agencies against using relief items to evangelize.

In March 2004, Mohamed Omar Habeb, also known as Mohamed Dheere, who controls the Middle Shabelle region, countered the general Islamic trend in Somalia by banning women from wearing veils. He subsequently jailed at least 17 women who had violated his decree, claiming that veils made it difficult to distinguish women from men who might be concealing weapons. Habeb was quoted as saying that he was committed to curbing violent attacks by extremists, but he later released the women following an outcry from many Islamic scholars throughout the country, particularly in Mogadishu.

Abuses of Religious Freedom

Article 6.3 of the Puntland Charter prohibits torture "unless sentenced by Islamic Shari'a Courts in accordance with Islamic Shari'a law." Islamic courts continue to operate throughout the country in the absence of a national judicial system operated by a central government.

In January 2005, a violent Jihadi group, not known to be connected to any other Islamist formation or any political factions, desecrated the Italian colonial cemetery in Mogadishu. While the excavation of the cemetery served a political and economic function, the act had religious overtones, as those in control of the site stated that they planned to build a mosque there and erected a makeshift sheet-metal shelter as a first step. The group, although espousing Islamist rhetoric, was widely condemned by mainstream Sufi Muslims and some Salafist groups.

There were no reports of religious prisoners or detainees during the period covered by this report.

Forced Religious Conversion

There were no reports of forced religious conversion, including of minor U.S. citizens 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.

Abuses by Terrorist Organizations

There were no reported abuses targeted at specific religions by terrorist organizations during the period covered by this report.

In late 2003 and in 2004, there were several fatal attacks against non-Muslim international relief and charity workers throughout the country and in the region of Somaliland. In addition, recent threats have targeted non-Muslim Westerners in the country, including in Somaliland. During the period covered by this report, there were several targeted killings, apparently politically motivated, by unknown assailants in Somaliland and in Mogadishu. Although many of these killings were attributed to members of violent political Islamic groups, victims did not appear to be chosen on overtly religious criteria.

Section III. Societal Attitudes

Non-Sunni Muslims often were viewed with suspicion by members of the Sunni majority.

The BBC reported that in March 2005, local Muslim cleric Sheikh Hassan Dahir Aweys, an influential figure in the Association of Islamic Courts and former leader of Al-Ittihad al-Islami (AIAI) called for a violent jihad against any peacekeeping force that accompanied the TFG's return to the country.

There is strong societal pressure to respect Islamic traditions, especially in enclaves still influenced but not controlled by Islamists espousing violent political agendas in Doble, Ras Kaambooni, and Kolbiyow in the Lower Juba region. Organized Islamic groups whose goal is the establishment of an Islamic state include Al-Islah, a generally nonviolent political movement that operates primarily in Mogadishu, and AIAI, which some still consider the country's largest militant Islamic organization despite evidence that it no longer exists as a unitary or coherent organization. AIAI clearly has committed terrorist acts in the past and remains on the U.S. Government's Terrorist Exclusion List. Although individuals continue to claim to be

adherents to its precepts, in recent years AIAI has become factionalized and its membership decentralized. Unlike AIAI, Al-Islah is a generally nonviolent and modernizing Islamic movement that emphasizes the reformation and revival of Islam to meet the challenges of the modern world.

There are a significant number of externally funded Qur'anic schools throughout the country. These schools provide inexpensive basic education but may require young girls to wear veils and participate in other conservative Islamic practices not generally found in the local culture. 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 the conservative Islamic organization Al-Islah.

Christians, as well as other non-Muslims who proclaim their religion, face occasional societal harassment.

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 seriously proscribed. There is no functioning central government to whom the U.S. Government might make known its views on religious freedom; regional and self-proclaimed authorities are unresponsive due to the lack of U.S. diplomatic recognition of or representation to them. These restraints have limited the U.S. Government's ability to take action to promote religious freedom in the country.

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