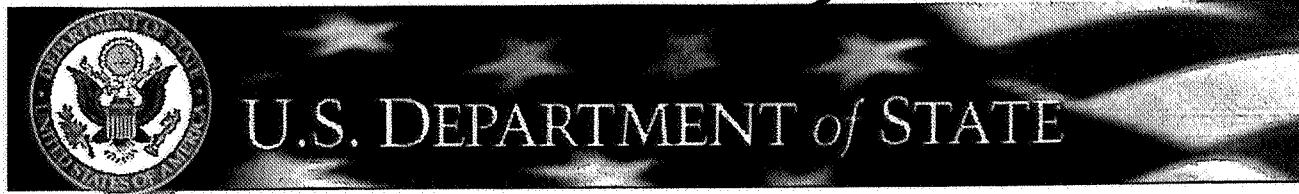


Somalia (45)

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Somalia

International Religious Freedom Report 2004

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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 U.S. Government's ability to take action to promote religious freedom.

Section I. Religious Demography

The country has a total area of 246,200 square miles, and its population is approximately 8.3 million; however, population figures are difficult to estimate given the instability of the country. Citizens overwhelmingly are Sunni Muslim, although there is a small number of non-Sunni Muslims. There also is a small, extremely low-profile Christian community, in addition to small numbers of adherents 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 (see section III).

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.

There is no central government. A Transitional National Government (TNG) was created in 2000 following the Somalia Reconciliation Conference in Arta, Djibouti, but it failed to establish effective control outside of Mogadishu and its mandate expired in August 2003. The Transitional Charter, adopted in 2000 but not implemented by the end of the period covered by this report, establishes Islam as the national religion. A draft transitional charter under consideration at the Somalia National Reconciliation Conference (SNRC) in Mbagathi, Kenya cites Islam as the official religion and several Somali sheikhs have announced that a new government formed at the SNRC must reflect a commitment to Islamic governance and morals. Some local administrations, including the "Republic of Somaliland" and "Puntland," have made Islam the official religion in their regions; however, regional authorities do not espouse rhetoric against non-Muslims.

The judiciary in most regions relies on some combination of traditional and customary law (Xeer), Shari'a law, the penal code of the pre-1991 Siad Barre government, or some combination of the three. Shari'a courts throughout Mogadishu are rapidly reasserting their authority, attracting support from businessmen, and working across clan lines. In addition two Shari'a courts were established in Beledweyne, in the Hiran region, during 2003. One of the

courts was designated for the Hawadle clan and the other for the Galjecel clan; the courts are segregated to alleviate fears that members of one clan might not be fair in dealing with cases involving members of the other clan.

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 by law in Puntland and Somaliland and effectively blocked by informal social consensus elsewhere in the country. While 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 addition, in April thousands of citizens marched through the streets in Mogadishu and in the southern coastal town of Merca protesting at what they said was an attempt by aid agencies to spread Christianity. Muslim scholars organized the protest following reports that school children were given 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 the country.

In March Mohamed Omar Habeb, who controls the Middle Shabbelle region, banned women from wearing veils and subsequently jailed at least 17 women who had violated the decree. He alleged that veils made it difficult to distinguish men who might be concealing weapons from women. Habeb was quoted as saying that he was devoted to curbing violent attacks by extremists, but he later released the women following outcry by many Islamic scholars throughout the country, particularly Mogadishu.

Abuses of Religious Freedom

Article 8 of the Transitional National Charter and Article 6.3 of the Puntland Charter prohibit torture "unless sentenced by Islamic Shari'a Courts in accordance with Islamic Shari'a law." Unlike in recent years, there were no reports that militias administered summary punishment. Islamic courts continue to operate throughout the country in the absence of a national judicial system operated by a central government.

Unlike in the period covered by the previous report, there were no reports that persons were deported for proselytizing.

There were no reports of religious prisoners or detainees.

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.

Section III. Societal Attitudes

There is strong societal pressure to respect Islamic traditions, especially in enclaves still influenced but not controlled by radical Islamists in Doble, Ras Chaimboni, and Kulbiyow in the Lower Juba region. Organized Islamic groups whose goal is the establishment of an Islamic state include Al-Islah, a generally nonviolent movement that operates primarily in Mogadishu,

al-Shabab al-Islami (AIAI), the country's largest militant Islamic organization. While AIAI has committed terrorist acts in the past and has adherents throughout the region, in recent years it 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 were several fatal attacks against non-Muslim international relief and charity workers throughout the country and in the region of Somaliland in late 2003 and in the current year. In addition there have been recent threats against non-Muslim Westerners in the country, including in Somaliland.

The number of externally funded Koranic schools continued to increase throughout the country. These schools are inexpensive and provide basic education; however, there were reports that these schools required young girls to wear veils and participate in other conservative Islamic practices not normally 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. The number of madrassas, which are private schools providing both religious and secular education, continued to increase during the period covered by this report.

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 in the country. This lack of diplomatic representation has limited the U.S. Government's ability to take action to promote religious freedom.

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