

Flygtningenævnets baggrundsmateriale

Bilagsnr.:	1089
Land:	Somalia
Kilde:	US Department of State
Titel:	2023 Report on International Religious Freedom: Somalia
Udgivet:	30. juni 2024
Optaget på baggrundsmaterialet:	22. juli 2024

2023 Report on International Religious Freedom: Somalia

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. Much of the country beyond greater Mogadishu remains 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 its official 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 principles of sharia.

Despite the federal government's attempts to strengthen governance, reform key security institutions, and carry out operations to combat terrorism, it continued to confront serious problems, including a persistent threat from al-Shabaab – a terrorist organization that promotes violence through its interpretations of Islamic doctrine; volatile relations with the FMS governments; and attempts by external actors, including foreign countries, to increase their influence within the country.

Al-Shabaab continued to attack government-linked forces and civilians throughout the country. The group also continued to pressure civilians to support its violent 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, government security forces, police, and troops from contributing countries of the African Union Transition Mission in Somalia (ATMIS). Al-Shabaab continued its campaign to characterize the ATMIS forces as "Christian crusaders" intent on invading and occupying the country. Most killings of civilians attributed to al-Shabaab reportedly resulted from indiscriminate use of force. The UN special representative for Somalia said that as of October, 1,289 civilians had been killed or wounded in the conflict since January. According to the Africa Center for Strategic Studies, there were 7,643 deaths caused by the conflict during the year, including civilians and those killed in battles, a 22 percent increase compared with 2022. During the year, the group conducted public executions of persons whom it accused of committing crimes such as blasphemy and spying, according to local and international press reports. Al-Shabaab continued its practice of abducting and killing humanitarian aid workers around the country, according to the United Nations, often accusing them of seeking to convert individuals to Christianity.

Strong societal pressure to adhere to Sunni Islamic traditions continued. Conversion from Islam to another religion remained prohibited. Those suspected of conversion reportedly faced imprisonment, harassment, and intimidation – including death threats – by members of their community.

Travel by U.S. government officials remained limited to select areas when security conditions permitted. U.S. government engagement relevant to promoting religious freedom remained focused on supporting efforts to bring stability and reestablish rule of law, in addition to advocating freedom of expression and assembly. Embassy officials engaged with government officials and opposition figures to dissuade the use of religion to threaten those with differing political or religious perspectives.

Section I.

Religious Demography

The U.S. government estimates the total population at 12.7 million (midyear 2023). 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 are Sunni Muslim. According to the online reference *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 that 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 is interpreted in the country to forbid conversion from Islam. Under the law, no exemptions from the application of sharia legal principles exist for non-Muslims.

The Somaliland constitution enforces Islam as the official religion; prohibits Muslims from converting; prohibits the propagation of any religion other than Islam; and stipulates all laws must comply with the principles of sharia. Other federal member states, including Galmudug, Hirshabelle, Jubaland, and South West State, have constitutions that identify 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 that directly address religious freedom.

The national penal code generally remains valid in all regions of the country, including the federal member states. 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 designated basis for national laws and the prohibition under Islamic jurisprudence for Muslims to convert to other religions, the relationship among sharia, the PFC, and enforcement of the penal code remains unclear.

The PFC requires the President, but not other government officials, 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 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. The federal government uses 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 belief, 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 (MERA) 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 do so. 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, however, elucidate or enforce consequences for operating without permission. Other FMS administrations require formal places of worship and religious schools to obtain permission to operate from local authorities.

MERA is responsible for monitoring religious affairs and promoting religious tolerance between practitioners of Islam and members of designated minority religious groups. Specific responsibilities of the ministry include arranging travel and accommodation for Somali Hajj pilgrims. The ministry is also responsible for developing messaging to counter al-Shabaab ideology. It has the mandate to regulate religious instruction throughout the country.

The law requires Islamic instruction in all schools, public or private. Private schools, including internationally accredited schools, have more flexibility in determining their curricula. Private schools must request approval from the federal Ministry of Education, Culture, and Higher Education for any changes to their curricula, but such 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 Civil and Political Rights.

GOVERNMENT PRACTICES

The federal government continued to confront multiple problems, including a persistent threat from al-Shabaab – a terrorist organization that promotes extreme interpretations of Islamic doctrine, including through violence; volatile relations with the FMS governments; and attempts by external actors, including foreign countries, to increase their influence within the country. 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. In January, MERA hosted a four-day conference with 300 clerics to jointly issue a fatwa condemning al-Shabaab and supporting the federal government’s efforts in countering terrorism.

The federal and FMS governments maintained bans on the propagation of religions other than Islam. The federal government reportedly continued to loosely enforce the registration requirement for religious groups opening schools for lay or religious instruction.

According to several advocacy groups working in the region, in early October, the Somaliland Supreme Court heard the second appeal in the case of a Somaliland resident sentenced in 2022 to five years in prison after being convicted of blasphemy, apostasy, insulting Islam and the Prophet of Islam on social media, and spreading Christianity. The Supreme Court ruled the accused should remain in prison for at least two more months, with no guarantee that she would be released at that time. According to her lawyer, the appellate regional court of Marodi Jeh denied her first appeal in

December 2022. After the individual declared a return to Islam, the court conditionally released her in August, subject to reimprisonment should she be found practicing Christianity or communicating with Christians. There was no further information available about her case before the end of the year.

The federal Ministry of Education, Culture, and Higher Education continued to implement its national curriculum framework, declaring a secular education with a focus on Islamic values and instruction in the Somali language was important to counter efforts by al-Shabaab to impose a strict version of Islamic law.

In November, in remarks reported in local media regarding the current Hamas-Israel conflict in Gaza, Prime Minister Hamza Abdi Barre said Israelis and Jews were “children of pigs and monkeys.”

The federal government supported the travel of 9,043 Hajj pilgrims to Saudi Arabia during the year.

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 throughout the year. The group was reportedly responsible for the killing of civilians, government officials, government security forces, and police. Many attacks involved the use of improvised explosive devices against government-linked forces and buildings, as well as against targets such as popular hotels and restaurants frequented by civilians in areas under government control. The group attacked hotel guests, government buildings, civilian Ministry of Defense staff in Mogadishu, and villagers in Hiraan, Galgaduud, and Lower Shabelle, among many other targets. In October, UN Special Representative for Somalia Catriona Laing said 1,289 civilians were killed or wounded in the conflict up to that time in the year; UN casualty figures were not available for the full year. The United Nations estimated al-Shabaab attacks caused more than 1,600 civilian casualties in 2022, with al-Shabaab responsible for 94 percent of conflict-related civilian deaths. According to the Africa Center for Strategic Studies, there were 7,643 deaths caused by the conflict during the year, including civilians and those killed in battles, a 22 percent increase compared with 2022.

According to media, in May, the group publicly executed five individuals, including Mohamed Ibrahim Olow in Bu’aale, following accusations they were spying for either the United States, the federal government, or Jubaland State. On June 15, according to the online magazine *Critical Threat*, al-Shabaab executed another five persons accused of spying for the United States and Somali regional administrations in Kunyo Barrow, Jamame District, and Middle Jubba, Jubaland State. Also in June, al-Shabaab attacked the restaurant in the Pearl Beach Hotel in Mogadishu, killing six civilians and three security personnel and injuring 10 others. In July, a suicide bomber killed at least 30 soldiers and wounded many more in an attack on the military academy in Mogadishu. Al-Shabaab claimed credit for the attack, according to international media.

During the year, al-Shabaab continued its attacks on ATMIS troops. Al-Shabaab continued to characterize the ATMIS forces as “Christian crusaders” intent on invading and occupying the country. On April 15, al-Shabaab ambushed ATMIS and Somali security forces near Bilal village in Janaale District, killing 10, according to the Armed Conflict Location and Event Data Project, an international nongovernmental organization (NGO). On May 26, al-Shabaab fighters attacked a military base in Bulamarer, Lower Shabelle, killing 54 Ugandan ATMIS members, according to international media and the Ugandan government.

The army, security forces, and ATMIS personnel held most urban centers in the country, while al-Shabaab continued to control or maintain influence over rural areas. While the group’s territorial control was fluid, the United Nations reported al-Shabaab retained its ability to conduct attacks in Mogadishu and recover areas where it had previously faced pressure from government-aligned forces, including in Galmudug. The group also continued to move in and around towns surrounding the Golis Mountains and to recruit individuals from that area.

Al-Shabaab's stated objective remained the imposition of a strict version of Islamic law in "greater Somalia." As such, they continued to impose their own interpretation of Islamic practices and sharia on other Muslims and non-Muslims.

Al-Shabaab continued to extort *zakat* (an Islamic annual compulsory contribution of a set amount, typically 2.5 percent of one's wealth, to benefit the poor) and *sadaqa* (a charitable contribution usually paid voluntarily by Muslims) from persons throughout central and southern Somalia. According to multiple sources, al-Shabaab's collection of zakat, sadaqa, and other extortion continued to generate tens of millions of dollars in revenue.

Al-Shabaab continued to threaten parents, teachers, and communities who failed to adhere to al-Shabaab's precepts and taxation tactics.

Humanitarian groups said al-Shabaab threatened to execute anyone suspected of converting to Christianity and considered such converts as high-value targets, according to an international Christian advocacy organization. The organization said the dangers facing Christians "appear to have worsened, as Islamic militants have intensified their hunt for Christian leaders." 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. Al-Shabaab also required 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 typically harassed secular and faith-based humanitarian aid organizations, threatening the lives of their personnel and accusing them of seeking to convert individuals to Christianity. The United Nations said nine humanitarian workers were abducted in three incidents in June, two in South West State and one in Hirshabelle State. According to the UN 2023 *Annual Humanitarian Access* report, six humanitarian staff were killed during the year.

In areas under its control, al-Shabaab continued to mandate that schools teach a militant form of jihad emphasizing students should wage war on those it deemed infidels, including in nearby countries, and against the federal government and ATMIS.

In addition to al-Shabaab, ISIS Somalia functioned in the country as a hub for funding, strategic guidance, and liaising among regional ISIS networks, according to terrorism experts. A small faction of ISIS fighters operated primarily in the remote mountains of the Bari area in Puntland, seeking to target federal government and Puntland security forces, ATMIS peacekeepers, and al-Shabaab elements. The U.S. government estimated the group's strength at fewer than 250 fighters in 2023, and assessed it was weakened by U.S. counterterrorism operations and clashes with al-Shabaab.

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 continued to be socially unacceptable in all, seen as a betrayal of family and clan. Individuals suspected of conversion and their families were reportedly subject to harassment, intimidation, and death threats from members of their local communities or families, according to the United Nations and at least one international Christian organization.

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 its reopening would be controversial.

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 included Islamic institutes that ran parallel to general primary education and general secondary education, offering an Islamic education certificate to graduates. 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 remained hard to obtain, especially in rural areas, a majority of young children appeared to be enrolled in Quranic schools, which fell under the authority MERA 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.

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 relevant to promoting religious freedom continued to focus on supporting the efforts of the government to bring stability and reestablish rule of law and advocating freedom of expression and peaceful assembly. Embassy officials engaged with government officials and opposition figures to dissuade the use of religion to threaten those with differing political or religious perspectives.

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