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Somalia

International Religious Freedom Report
Released by the Bureau of Democracy, Human Rights, and Labor
October 2001

There is no constitution and no legal provision for the protection of religious freedom; there were some 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 no central government; a Transitional National Government is headquartered in Mogadishu, but it exercises little effective control over the rest of the country. Some local administrations, including the "Republic of Somaliland" and "Puntland," have made Islam the official religion in their regions. Local tradition and past law make proselytizing a crime for any religion except Islam. Islamic court militias at times administered summary punishments, including executions.

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

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 7,253,137. Citizens overwhelmingly are Sunni Muslim. There are 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. In 2000 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 some limits on religious freedom.

There is no central government. A Transitional National Government has been headquartered in Mogadishu since October 2000, but it exercises little effective control over the country. The Transitional Charter, adopted in July 2000 but not implemented by the end of the period covered by this report, establishes Islam as the national religion. Some local administrations, including the "Republic of Somaliland" and "Puntland," have made Islam the official religion in their regions. 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. There are three Islamic courts operating in Mogadishu, which are aligned with different subclans, raising doubts about their independence. These courts are administrative bodies that are supported by militias and operate as judicial systems. The Government has established a working relationship with the courts, and over 40 percent of the staff of the Transitional National Government's police force comes from the courts. In June 2001, Dr. Abdiqasim Salad Hasan, President of the Transitional National Government, announced that the Islamic courts in Mogadishu had been nationalized and would operate under state supervision. Despite the nationalization and the working relationship, the Government does not yet have effective control over the courts.

In March 1999, the Minister of Religion in Somaliland issued a list of instructions and definitions on religious practices. Under the new rules, 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. In Puntland religious schools and places of worship must receive

permission from the Ministry of Justice and Religious Affairs to operate.

Restrictions on Religious Freedom

Local tradition and past law make proselytizing a crime for any religion except Islam. 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. Christian-based international relief organizations generally operate without interference, provided that they refrain from proselytizing.

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 Sharia Courts in accordance with Islamic Sharia law;" however, while Islamic courts generally refrained from administering the stricter Islamic punishments, such as amputation, their militias administered summary punishments, including executions, in and around the city. In June 2000, an Islamic Court in Buulo village, Lower Shabelle, sentenced Nuurto Muhammad Ali to death by stoning after she was discovered to have three husbands. Nuurto's execution was suspended, and after she gave birth, she was released. In February 2001, the Islamic Court Militias based in Mogadishu flogged Omar Dini, a reporter for the Mogadishu-based newspaper Qaran, for writing an allegedly anti-Islamic article.

On February 3, 2000, Somaliland authorities briefly detained nine Ethiopian citizens for allegedly proselytizing Christianity; all nine were deported following their release.

Seven Christian Ethiopians arrested in Somaliland in May 1999 for allegedly attempting to proselytize remained in detention at the end of 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 by local authorities to allow such citizens to be returned to the United States.

Section III. Societal Attitudes

Non-Sunni Muslims often are viewed with suspicion by members of the Sunni majority. There is strong social pressure to respect Islamic traditions, especially in enclaves controlled by radical Islamists, such as El Wak in the Gedo region and Doble, Ras Chaimboni, and Kulbiyow in the Lower Juba region. There was an increase in religious intolerance among Muslims by Al'ittihad, a local radical Islamic group, which is affiliated with the international Al'ittihad group. There were no reports of mosque takeovers during the period covered by this report.

The number of externally funded Koranic schools continued to increase throughout the country during the period covered by this report. These schools are inexpensive and provide basic education; however, there were reports that these schools required the veiling of small girls, as well as requiring other conservative Islamic practices not normally found in the local culture. Mogadishu University and many secondary schools in Mogadishu are externally funded and administered through organizations affiliated with the conservative Islamic organization Al-Islah.

There is a small, low-profile Christian community. Christians, as well as other non-Muslims who proclaim their religion, sometimes face societal harassment.

There are no ecumenical movements or activities to promote greater religious toleration.

Section IV. U.S. Government Policy

The U.S. Government does not maintain an official 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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