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U.S. DEPARTMENT of STATE

Somalia

International Religious Freedom Report 2006

Released by the Bureau of Democracy, Human Rights, and Labor

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.

The Union of Islamic Courts (UIC), which grew out of individual courts' efforts to establish a degree of order in Mogadishu, took control of the Somali capital on June 4, 2006, following a military confrontation with a loose coalition of Somali warlords. The UIC is heterogeneous and serves as an umbrella coordination mechanism between individual Shari'a courts, with individual courts reflecting a moderate interpretation of Islam and others espousing an extremist form of Islam that has proven intolerant to traditional Somali societal and cultural practices. The UIC was subsequently renamed the Supreme of Islamic Courts Council (SICC) on June 24.

There is strong societal pressure to respect Islamic traditions, especially in enclaves still influenced, and in some instances 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 was approximately 8.3 million; however, population figures were difficult to estimate due to the instability of the country. Citizens were overwhelmingly Sunni Muslims of a Sufi tradition. There also was 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 and 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.

Somalia's nascent central government was able to exercise control over very limited territory. A Transitional Federal Government (TFG) was created in October 2004 following the Somalia National Reconciliation Conference in Mbagathi, Kenya. That government formally established temporary operations in Baidoa in February 2006. The TFG adopted a Transitional Federal Charter in 2004 but was able to begin implementation only in 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. Following the June takeover of Mogadishu by the UIC, the TFG met with representatives of the courts to discuss the current situation in the country. This meeting resulted in an agreement that included provisions to cease antagonistic propaganda and hostilities and to continue discussions on security, politics, and impediments to peace.

The TFG 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. Puntland security forces monitored religious activities very closely.

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 were asserting their authority, attracting support from businessmen, and sometimes, at least superficially, working across clan lines that traditionally form 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. Christian-based international relief organizations generally operated without interference, provided that they refrain from proselytizing.

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 schoolchildren 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 controlled the Middle Shabbelle region, countered the general Islamic trend in the country by banning women from wearing veils. He subsequently jailed at least seventeen 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 continued to operate throughout the country in the absence of a national judicial system operated by a central government. In May 2006 a sixteen-year-old boy stabbed to death his father's killer in a public execution ordered by an Islamic court. In June a court sentenced five suspected rapists to death by stoning.

In January 2005 a group of violent extremists 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 in the country.

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.

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.

Section III. Societal Abuses and Discrimination

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 UIC and former leader of Al-Ittihad al-Islami (AIAI), called for a violent jihad against any peacekeeping force that anticipated accompanying the TFG's return to the country that year.

The activities of the Islamic courts appeared to be largely welcomed by Mogadishu because the courts have brought a degree of order to what was long a lawless city. Some, however, have objected to strict interpretations of Islamic law that forbid the viewing of movies or soccer matches. In one instance, a Shari'a court reportedly ordered that one group of youths have their heads shaved and be whipped for protesting a ban on public broadcasts of World Cup soccer matches.

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, a militant Islamic organization. AIAI committed terrorist acts in Somalia and Ethiopia in the mid-1990s and remains on the U.S. government's Terrorist Exclusion List. Although individuals continued to claim to be adherents to its precepts, AIAI remained heavily 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, faced 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. The central government remains too weak to adequately engage on issues of 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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