



USCIRF Annual Report 2013 - Thematic Issues: Severe religious freedom violations by non-state actors

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Particularly severe violations of religious freedom are increasingly perpetrated by non-state actors in failing or failed states. Given this troubling reality, the U.S. government must develop strategies for countering these violent groups and protecting religious freedom. Non-state actors vary greatly and include individuals, mobs, vigilante groups, anti-government insurgents, militant organizations, and recognized terrorist groups. While they all act without the color of law, they can differ significantly in ideology, purpose, end goals, and level of international and domestic recognition. The groups discussed in the 2013 Annual Report and in this section are generally motivated by a violent religious ideology to impose their religious beliefs on local populations and harshly punish those who do not abide by their religious edicts. Some of these groups are U.S.-designated Foreign Terrorist Organizations (FTOs) or are members of the al-Qaeda terrorist network. Others are local militias whose domestic political agendas are pushed forward within a religious framework.

In countries where these organizations operate, central and local government authorities often lack the capacity to stop the groups and need international assistance. To date, governmental responses to these groups have been primarily military, with little attention given to addressing political, societal, or economic policies that drive conflict and allow such groups to gain a foothold in society. Situations of impunity are particularly difficult to address, because they often involve circumstances where a government is unable to bring perpetrators of violence to justice. However, when violent non-state actors remain unchallenged, they pose not only a threat to human rights, but also to the stability of the government in the country, as well as to regional security if they undertake cross border actions.

It is important to note that while governments may not be directly involved in these groups' actions, governmental action can foster violence. USCIRF has found that violence from non-state actors often arises in countries where the government exhibits hostility towards particular religious communities, either religious minorities or dissenting members of the religious majority. When discriminatory government laws or policies signal that certain groups are disfavored, non-state actors feel empowered to carry out violent attacks with little fear of reprisal. A government may also sponsor radical teachings or propaganda through education that speaks against certain

religious communities. The government's devaluation of certain groups as the religious "other" can make them viewed as deserving of attack.

In several of the countries addressed in USCIRF's 2013 Annual Report, non-state actors perpetrated particularly severe violations of religious freedom. This section provides details on non-state actors that perpetrate religious freedom violations that were not fully addressed in other report chapters.

SOMALIA

From 2008 to 2012, al-Shabaab, a U.S.-designated foreign terrorist organization allied with al-Qaeda, controlled central and southern Somalia. While it has lost territory to the recognized Somali government and supporting African Union forces, al-Shabaab is actively working to establish Somalia as a base for terrorism. Its goal is to turn Somalia into an Islamic state, build a greater Somalia by incorporating regional areas with large ethnic-Somali populations such as Djibouti and areas of Ethiopia and Kenya, and spread its radical version of Islam. Al-Shabaab continues to control territory in central Somalia and near the border with Puntland and to fight a guerrilla war in major towns and cities controlled by the government or African Union forces. Al-Shabaab is also engaging in suicide attacks and other violence in Kenya.

Al-Shabaab engages in systemic and egregious violations of religious freedom, and violently implements its interpretation of Shari'ah law in the territories it controls. Somalis accused of committing crimes or who al-Shabaab deems to have deviated from accepted behaviors are punished through stoning, amputation, flogging, and/or detention. With its Wahhabi/Salafi leanings, al-Shabaab views Sufi Islamic interpretations and practices as un-Islamic and has killed Sufi clerics, attacked Sufi followers, destroyed Sufi mosques, and desecrated the tombstones of Sufi saints. It has arrested Sufi clerics and prevented them from conducting classes or attending mosques, and prevented pilgrimages to Sufi shrines.

Al-Shabaab requires women to be fully covered in public and forbids them from engaging in commerce that brings them into contact with men. Men are forbidden to shave their beards, and those deemed with "inappropriate hairstyles" have had their heads shaved. Al-Shabaab orders businesses to close during Islam's five daily prayer times. A number of activities, such as playing soccer or listening to music, are forbidden. The terrorist organization also executes persons accused of working with the central government or the African Union peacekeeping force, calling them apostates and "enemies of Islam." Al-Shabaab also targets the very small and extremely low-profile Christian and Christian convert community, and has executed dozens of Christians in the past five years.

NIGERIA

The violent religious extremist organization Boko Haram started in northern Nigeria's Yobe and Borno states in 2002 and became a dangerous threat to Nigeria's stability in 2011. Boko Haram (a Hausa- language name meaning western education is a sin, given to the militants by Northern Nigerians) sees the federal and northern state governments, as well as the country's political and religious elites, as morally corrupt. It rejects the West and the secular state and seeks the universal implementation of "pure" Shari'ah law to resolve the ills facing northern Nigerian Muslims. While Shari'ah is already applied in the 12 northern Nigeria states, Boko Haram believes that it has been corrupted by politicians for their own gain.

Boko Haram has grown in numbers in the past two years with scores of economically and politically- marginalized northerners joining the group. Boko Haram is known to receive training from and have connections with al-Qaeda in the Maghreb. The U.S. government designated three of its leaders terrorists in June 2012.

Boko Haram targets include police stations, government buildings, churches, politicians, newspapers, banks, and schools throughout northern Nigeria. Tactics include drive-by shootings on motorcycles, the use of improvised explosive devices, and starting in 2011, suicide bombings. In August 2011, individuals claiming to be affiliated with Boko Haram took responsibility for bombing the United Nations' main office in Abuja, an attack that killed 34 people. International Criminal Court prosecutor Fatou Bensouda has said that there is a "reasonable basis" to believe that Boko Haram has committed crimes against humanity in Nigeria.

In addition to attacks on state institutions, Boko Haram attacks have targeted the northern Christian population. In 2012, Boko Haram, or people thought to be affiliated with or sympathetic to the group, attacked at least 25 churches, killing and injuring hundreds; three attacks led to Christian reprisals. Boko Haram has attacked churches on Christmas Eve or Christmas day three years in a row from 2010 to 2012. It also killed individual Christians and called on Christians to leave northern Nigeria. It also seeks to further destabilize Nigeria by striking churches in cities with histories of Muslim-Christian tensions to exacerbate that hostility.

Boko Haram is also responsible, or is suspected of being responsible, for a number of attacks on Muslim clerics critical of the group. Victims include the second most prominent Islamic leader in Nigeria, the Shehu of Borno State Alhaji Ibn Abubakar Umar Garbai Elkanemi and the Emir of Fika. Boko Haram also is believed to have assassinated a number of clerics critical of the religious extremist group in 2012. In efforts to "purify" northern Nigeria, Boko Haram kills those engaged in what it deems un-Islamic behavior, such as gambling and drinking alcohol in bars.

In response to the Boko Haram attacks, President Goodluck Jonathan declared a state of emergency in Borno, Yobe, Niger, and Plateau states on December 31, 2011, allowing the Nigerian army to enter those states. However, rather than stop Boko Haram, the army's use of excessive force exacerbated the problem. Hundreds of suspected Boko Haram members are in detention, with trial dates yet to be determined. The Nigerian government has also entered into failed peace negotiations with the group and on November 25 announced hundreds of thousands of dollars of rewards for information leading to the capture of suspected Boko Haram leader and U.S.-designated terrorist Abubakar Shekau and other senior commanders. The Nigerian government has also taken steps to try to protect churches, including stationing police and erecting barriers at church entry points. While this has not stopped all attackers, it has prevented a number of them from reaching their targets, thereby reducing the number of deaths and injuries.

MALI

Mali, once a model for democracy and freedom of religion and belief in Africa, experienced a dramatic rise in severe religious freedom violations in 2012 due to the activities of several violent religious extremist groups in the ungoverned northern part of the country. A March 2012 coup d'état led to a breakdown of government in northern Mali, leaving it vulnerable to militias already rebelling against the central government and religious extremist groups operating in the region, including: al-Qaeda in the Lands of the Islamic Maghreb (AQIM), Ansar al-Din (Defenders of the Faith), and the Movement for the Unity and Jihad in West Africa (MUJWA).

AQIM is a U.S.-designated FTO whose initial objective was to overthrow Algeria's secular military government and establish an Islamic caliphate. It is composed of Arabs and has sworn its allegiance to al-Qaeda and declared that it shares its goals of an Islamic Caliphate. Until 2012, however, most of AQIM's operations were kidnappings for ransom and smuggling, not trying to impose its extremist interpretation of Islamic law. With its long-standing presence in northern Mali and ties to local populations, AQIM had presences in the main northern cities of Gao, Kidal and Timbuktu.

Ansar al-Din is a Malian violent religious extremist group formed in November 2011 after its founder, Iyad Ag Ghaly, was rejected as the leader of a secular Tuareg militia. Predominately

composed of members from the Tuareg Ifoghas tribe of Kidal and other Tuareg soldiers returned from Libya after that country's civil war, Ansar al-Din controlled Kidal as well as parts Timbuktu. Its goal is for Mali to be an Islamic state. Leaders of Ansar al-Din have connections, including familial, with AQIM.

MUJWA is a splinter group of AQIM that seeks to implement an extremist interpretation of Shari'ah across West Africa. Its African leaders split from AQIM believing that organization's Arab leadership was racist toward its African members. MUJWA's members are non-Malian Africans and ethnically- African northern Malians. Previously operating in northern Mali and southern Algeria, MUJWA gained control over the city of Gao following the March coup d'état.

All of these groups commit gross religious freedom violations in the territories they control. They violently imposed their extremist interpretation of Islam on the populations despite local protests, including use of floggings for violations of behavioral and dress codes. Ansar al-Din and MUJWA used hudood punishments, including stoning, amputation and flogging, for alleged violations of Islamic law and crimes. Additionally, Ansar al-Din and AQIM waged war on Mali's Sufi heritage in the World Heritage site of Timbuktu, desecrating nearly a dozen historic Sufi shrines and burning the Ahmed Baba Centre for Documentation and Research in an attempt to destroy the Centre's 60,000 to 100,000 ancient Muslim and Greek manuscripts. Fearing for their safety, Mali's northern Christian population fled that region as the religious extremists took control.

As the international community trained for a UN-sanctioned peacekeeping force, the extremist groups expanded the territory under their control, leading France to militarily intervene in the country on January 11, 2013. Within weeks, AQIM, Ansar al-Din, and MUJWA were pushed out of all major northern cities, although they are expected to continue to attack cities and military forces for the foreseeable future. French forces are now planning their withdrawal and replacement by the African peacekeeping force. Political negotiations with Ansar al-Din and its offshoots continue.

SOUTH ASIA

Several groups of non-state actors that perpetrate severe violations of religious freedom can be found in Afghanistan and Pakistan. The chapters on Afghanistan and Pakistan detail the specific attacks perpetrated by these groups.

In Afghanistan, the Taliban are internationally-known abusers of human rights and religious freedom. During their rule of Afghanistan from 1996-2001, they repressed religious freedoms and human rights through the enforcement of their vision of religious law, which resulted in gross abuses. Non-Muslim religious statues were destroyed, women were forced to wear the burqa and prevented from attending school. They also banned social and recreational activities, such as music, television and kite flying. While the Taliban were initially welcomed in some quarters because they brought a form of rule of law, their implementation of "justice" was swift, violent, and without appeal.

Because of these violations, conditions in Afghanistan during this period met the statutory threshold for a "country of particular concern" due to the systematic, ongoing and egregious violations of religious freedom. However, since the United States did not recognize the Taliban as the legitimate representatives of the Afghan people, they were not recognized as the governing power. This led the State Department to designate the Taliban as a "particularly severe violator of religious freedom" in 1999 and 2000.

Upon the Taliban's removal from power in 2001 by the United States and international partners, the "particularly severe violator" designation was dropped. Notably, the Taliban has never been designated an FTO by the State Department, although the group was subject to UN sanctions due to its connections with al-Qaeda. While the Taliban lost on the battlefield, they have continued to

wage asymmetrical attacks against the Afghan government and U.S. and international forces, while enforcing their religiously-inspired worldview upon people in areas they control.

There were several examples of Taliban attacks during the reporting period. In July, the Taliban executed 11 women for their advocacy work, and in August they beheaded 15 men and two women for dancing at a party. They also continued their sectarian violence, including targeting of places of worship. In August, the Taliban bombed a mosque Nangahar province killing 19, and in October, a Taliban suicide bombing killed at least 42 at a mosque during Eid.

In Pakistan over the past several years, the level of religiously-motivated violence has steadily increased, both against minority religious communities and members of the majority faith whose views run counter to those of extremists groups. Violence has been perpetrated by individual actors and by spontaneous mob attacks. In addition, a number of violent militant groups operate with significant freedom in Pakistan and perpetrate attacks in the name of religion. Two of the worst violators are Lashkar-e-Jhangvi (LeJ) and Tehrik-e Taliban Pakistan (TTP).

The Pakistani government has banned LeJ and TTP and the State Department has designated them as FTOs – LeJ in January 2003 and TTP in September 2010. Both organizations are driven by an extremist religious agenda and openly take credit for attacks on religious minorities. For instance, the TTP took credit for the March 2011 assassination of Shahbaz Bhatti, the Federal Minister for Minority Affairs and an outspoken critic of Pakistan's blasphemy laws. LeJ has claimed credit for a series of bombings targeting Shi'i Muslims in January.

The government of Pakistan is at times unable, but also often unwilling, to enforce its laws and prevent attacks by non-state actors. Pakistan's laws and policies discriminate against religious minorities, which fosters an environment where vigilante violence is accepted. Furthermore, the Pakistani government has proven unable and unwilling to crack down on groups like LeJ and TTP, as well as other organizations that use violence to advance their agenda.

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