



**Religion**

**Population**

**Area**

- Muslims : **99.8%**
- Others : **0.2%**

11,079,000

637,657 Km<sup>2</sup>

## Legal framework on freedom of religion and actual application

Since 1991, there has been no central government in Somalia whose writ runs throughout the country.<sup>[1]</sup> Somalia has been governed under a provisional federal constitution since August 2012. The constitution defines Somalia as a “federal republic”.<sup>[2]</sup> The law enshrines the separation of powers, a federal order and fundamental civil and human rights. This also includes the prohibition of female genital mutilation, which is particularly widespread in Somalia.<sup>[3]</sup> Reports suggest that practitioners of FGM frequently think – erroneously to a large degree – that the practice has religious backing.<sup>[4]</sup>

The country’s security situation continued to be poor during the period under review and, as result, implementing the constitution was possible only with great difficulties. The status of religion and religious life is governed by the constitution and the legislation shared by the country’s three sub-regions (Somalia, Puntland, Somaliland).

Islam is the state religion, and the president must be a Muslim.<sup>[5]</sup> In Somaliland, this requirement also extends to the office of the vice president. The provisional constitution guarantees equal rights to all citizens, regardless of their religion. At the same time, however, it also stipulates that legislation must be in harmony with Shari’a law. The provisional constitution applies to all citizens, regardless of their religious affiliation. As a result, non-Muslims are also subject to legislation that follows the principles of Shari’a. While conversion from Islam to another religion is not expressly prohibited by the provisional constitution, it is not accepted at a societal level. Under the constitutions of Somaliland and Puntland, on the other hand, conversion is expressly prohibited.<sup>[6]</sup> Non-Muslims are prohibited from professing their faith in public.

Islamic religious instruction is mandatory in all public and Muslim schools throughout the country.<sup>[7]</sup> Only a few non-Muslim schools are exempt. All religious communities must register with the Ministry of Religious Affairs. In practice, however, this tends to be haphazard, either because the criteria under which registration should occur are not clear, or because the authorities are overwhelmed with the work of registering these communities.<sup>[8]</sup> The following rules apply in

all three parts of the country: in the event that the central government is not operational, special arrangements have been developed at local and regional levels based on traditional Somali law and Shari'a.<sup>[9]</sup>

Because of the threat posed by the Al-Shabaab Islamist terror group however, there were delays regarding presidential or parliamentary elections. Instead, the president was chosen by parliament, and the members of parliament were appointed by delegates of the country's clans. Parliamentary elections were finally held in early October 2016 and on 8th February 2017, 184 MPs out of 328 elected Mohamed Abdullahi 'Farmajo' Mohamed as president!<sup>[10]</sup>

Proceedings against the Al-Shabaab extremists are tried before military courts, but human rights activists are critical of their procedures and judgements. The most severe form of punishment, the death penalty, is still practised!<sup>[11]</sup> Al-Shabaab was driven out of Mogadishu with international assistance, and yet it continues to carry out numerous attacks in the city and elsewhere.<sup>[12]</sup> In the wake of the long war, the human rights situation in the country is disastrous. People are summarily executed without trial, and often violent attacks are waged on groups and individuals!<sup>[13]</sup> In the area under Al-Shabaab influence, where a stricter form of Shari'a is in effect, there are serious human rights violations, including executions by stoning.<sup>[14]</sup>

Sunni Muslims are thought to make up nearly 100 percent of the population!<sup>[15]</sup> and other religious communities are very small. There are also some Shia Muslims. Around 94 percent of the population are of Cushite descent and share the Somali language and Muslim faith.<sup>[16]</sup>

Tolerant Sufi Islam was once widespread in Somalia and, for centuries, relations with other religions were good. In the past 20 years, however, Islamist extremism has prevailed in the country. Violence was widely present in the country during the period under review. The existence of Daesh (ISIS) as well as Al-Qaeda and Al-Shabaab were confirmed by sources including the Church.<sup>[17]</sup>

As Western intelligence reports have reported, Somalia is now understood to have Daesh cells. They are said to be former Al-Shabaab fighters who joined up with foreign fighters from the Middle East and who have been coming to Somalia in the wake of Daesh's defeat in Syria and Iraq.<sup>[18]</sup> The Apostolic Administrator of Mogadishu, Bishop Giorgio Bertin of Djibouti, confirmed their presence in Somalia. The Somali press has reported on this as well. The extremist militants are thought to be active mainly in Puntland, the partially autonomous region in the north-east of the country!<sup>[19]</sup>

Somalia's small number of Christians includes immigrants from neighbouring countries. A small community of Somali Christians lives in Mogadishu, with about 30 mostly older faithful.<sup>[20]</sup> They are in hiding, out of fear of reprisals from militants. They are forced to practise their faith underground, Father Stefano Tollu, the military chaplain of the Italian section of the training mission financed by the European Union, managed to contact a member of the community. Moses (not his real name) is a Christian who grew up when Somalia was an Italian colony. The rare meeting was kept brief in order not to arouse suspicion. Nevertheless, according to Father Tollu, the encounter was very intense!<sup>[21]</sup> Moses said his community of Somali Catholics were under threat.<sup>[22]</sup>

Christians in Somalia face dangers and threats even within their own families, Father Tollu noted!<sup>[23]</sup> The generation born in the 1990s is more intolerant and can no longer understand their older relatives who have become Christian. In response, older family members have left their children and grandchildren. Some Christians have even been killed by their own grandchildren. Moses told Father Tollu: "Violence is in homes and we, who are few in number, risk our lives every day".<sup>[24]</sup>

The remaining few Somali Catholics do not receive regular spiritual assistance. Father Tollu confirmed that the safety of a priest in Mogadishu cannot be guaranteed.<sup>[25]</sup>

## **| Incidents**

During the current reporting period, Somalia remained one of the most dangerous countries in the world. The nation has

seen repeated deadly attacks, sometimes on a weekly basis. A deterioration is evident as a result of Daesh gaining a foothold. This decline applies not least to religious freedom. Al-Shabaab extremists have been fighting for the creation of a so-called theocracy for years and have already killed thousands of people in attacks and assaults!<sup>[26]</sup> There are fears that domestic security forces will be unable to gain control over the extremists when the 21,000-strong international force stationed by the African Union (AMISOM) completes its withdrawal in 2020!<sup>[27]</sup>

On 14th October 2017, a terrorist attack took place in Mogadishu's commercial district involving a truck loaded with explosives. According to initial accounts, the attack claimed at least 358 lives and injured more than 200!<sup>[28]</sup> although other sources put the number killed at nearly 600!<sup>[29]</sup> No one claimed responsibility for the attack but President Mohamed Abdullahi Mohamed blamed it on Al-Shabaab. It was the worst bomb attack in the history of Somalia!<sup>[30]</sup>

In early March 2018, Al-Shabaab fighters killed at least three Burundian soldiers stationed in Somalia as part of the international peace mission.<sup>[31]</sup> Seven soldiers were injured, some of them severely. A convoy carrying the Burundian troops was attacked with rocket launchers and guns on the road from Mogadishu to Jowhar. An armoured vehicle was destroyed, and four trucks were gutted by fire. Burundi has deployed 5,000 soldiers as part of the African Union Mission to Somalia (AMISOM). The purpose of the mission is to help stabilise Somalia and push back Al-Shabaab. The militants claimed responsibility for the attack in a radio message. They claim to have killed 23 Burundian soldiers and destroyed 17 vehicles but these figures may be exaggerated.

At least four soldiers from neighbouring Uganda were killed in an Al-Shabaab attack on Easter Sunday 2018. The blast on 1st April 2018 struck at an African Union (AU) military base.<sup>[32]</sup> The blast was followed by a heavy gun battle between AU soldiers and Al-Shabaab fighters. Ugandan army spokesman, Richard Maremire, reported that four Ugandan soldiers were killed and another six wounded. The extremists suffered 30 casualties. The Islamists claimed to have killed 59 Ugandan soldiers. Reports suggest that the attacks were aimed at intimidating the AU and African nations for siding with the Somali central government.

Extremist militants were reported to have released a video in December 2017 calling on Daesh affiliates "to 'hunt down' the non-believers and attack churches and markets".<sup>[33]</sup> That same month, the US reportedly launched its first drone attack on Daesh causing numerous deaths.

All of this is taking place against a background of widespread instability. There are repeated and heavy attacks by extremist groups, particularly in the capital of Mogadishu<sup>[34]</sup> The violence has less impact on the local population since the attacks usually target foreigners.

## **Prospects for freedom of religion**

There is little hope of improvement in the situation in the Horn of Africa not merely as a result of continuous violence but also because of increased extremist violence across Somalia. Central government is weak and the international community in showing less willingness to commit to a lasting involvement in the country. Concern is mounting that militant groups' activities are spreading into neighbouring Kenya, Ethiopia and Djibouti).

After the fall of dictator Mohamed Siad Barre in 1991, Somalia has endured sustained violence, with a rise in attacks by extremist groups – including the devastating October 2017 terror attack. This chaos is in stark contrast to the moderate Islam in Somalia of former times.

International interest in Somalia is in decline. For example, despite the ongoing violence in Somalia, the German military pulled out of training the country's security forces at the end of March 2018.<sup>[35]</sup>

## **Endnotes / Sources**

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[29] Somalia's Zobe rescue committee investigating the loss of lives calculate 587 deaths with 316 people seriously injured. Including this mid-day attack at a busy intersection with the bombs at the Nasa Hablod Hotel and the Police Academy last year bring a combined loss of lives of 656 from just three attacks.

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[34] Ibid.

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