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James D. Standish

Executive Director

U.S. Commission on International Religious Freedom
800 North Capitol Street, NW
Suite 790
Washington, DC 20002
202-523-3240
202-523-5020 (fax)
www.uscirf.gov

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ON THE COVER: Members of Pakistan's Women Action Forum in Lahore, Pakistan rally against the presence of Taliban and militants in the northwest of Pakistan on Thursday, February 12, 2009. The banners condemn religious extremism, domestic violence, and the burning down of girls' schools in Swat. (AP Photo/K.M. Chaudary)

Somalia

Somalia has not had an effective, central government since 1991. In the absence of the rule of law, freedom of religion or belief, like all other human rights, is circumscribed by insurgents, warlords, self-appointed officials, local authorities, and prevailing societal attitudes. Although Somalis have traditionally practiced a Sufi-influenced version of Islam, radical interpretations of Islam are increasingly manifested. Throughout 2008, al-Shabaab (literally "the Youth" in Arabic) increased control over central and southern parts of the country, killed followers of other religions, forcibly implemented a strict interpretation of Islamic law reminiscent of the Taliban, and suppressed practices it deemed "un-Islamic." Al-Shabaab has links to al-Qaeda and has been formally designated a "foreign terrorist organization" by the United States. Reports of non-Muslims and Christian converts being attacked and killed throughout the country arose throughout the reporting period. The Commission places Somalia on its Watch List because of the deteriorating situation for freedom of religion or belief and related human rights and the inability of the Transitional Federal Government (TFG) to limit such abuses and protect religious freedom. The Commission will continue to monitor religious freedom in Somalia to determine whether conditions warrant it be named a country of particular concern.

After the fall of former Somali dictator Siad Barre from power in January 1991, inter-clan and inter-factional warfare created a massive humanitarian crisis. The UN and U.S. intervention starting in 1992 ended in 1994. Subsequent, repeated internal and international efforts to stabilize Somalia proved unsuccessful, with local clans and neighboring states competing for dominance. In the north, two regional governments emerged: Puntland and the self-declared "Republic of Somaliland," the latter based on the former British Somaliland Protectorate. Although in existence since 1991, the Republic of Somaliland has failed to gain international recognition of its *de facto* independence. Puntland, under control of a local strongman, has claimed only autonomy within a hypothetical future federal structure for Somalia.

Somalia has no universally recognized or enforced constitution and no legal provision for the protection of religious freedom or any other human rights. The TFG adopted a Transitional Federal Charter that establishes Islam as the national religion. The *de facto* administrations in Somaliland and Puntland have made Islam the official religion in their respective regions. The judiciary, in most regions, relies on some combination of sharia, traditional, and customary law, as well as the pre-1991 penal code. A newly elected government will implement a variation of sharia; the new president has said it will respect human rights and women's rights.

The failure of the TFG, created in 2004, to provide law and order and deliver government services led to an atmosphere of corruption and lawlessness, and allowed warlords to impose themselves over local communities. Seeking to oust the warlords and re-establish law and order through a clan-based sharia court system, the Union of Islamic Courts (UIC) emerged in 2006. The UIC was a loose coalition composed of moderate and extremist Muslims, sharia court judges, and businessmen. Backed by local supporters, militia groups affiliated with the UIC captured the capital Mogadishu from the warlords in June 2006 and by fall, the movement established military dominance over most of southern and central Somalia and began to threaten the TFG based in Baidoa.

However, the UIC quickly came under the influence of radical elements that sought to impose a more extreme version of Islamic behavior reminiscent of the Taliban in Afghanistan. One of the most radical elements, al-Shabaab, served as an important and successful militia wing of the UIC. The militia was well-armed, well-trained, and led by Adan Hashi `Ayro, who fought in Afghanistan and had links with al-Qaeda. `Ayro worked with Hassan Dahir Aweys, the most radical of the UIC leadership and a U.S.-designated terror suspect.

The U.S. and Ethiopian governments viewed the strengthening and radicalization of the UIC with alarm, particularly in light of suspected links to al-

Qaeda. In December 2006, the TFG and Ethiopian forces launched a counteroffensive. The allied forces quickly routed the UIC, seizing control of Mogadishu and much of the south. The U.S. government provided diplomatic and intelligence support and used U.S. airstrikes against al-Qaeda elements reported to be among the UIC forces retreating toward the Kenyan border. This attack and support for Ethiopia led Somalis to believe that the Ethiopian occupation of Somalia was directed by the United States in its global war on terror.

Following this defeat, the UIC splintered into several different factions. Some of the more radical elements, including al-Shabaab, regrouped to continue their insurgency against the TFG and oppose Ethiopia's presence in Somalia. Throughout 2007 and 2008, al-Shabaab scored military victories, winning control over key ports and towns in central and southern Somalia. At the end of 2008, al-Shabaab captured Baidoa, though not Mogadishu. By the end of January 2009, al-Shabaab and other militias succeeded in forcing the last Ethiopian troops to withdraw from the country, leaving behind an understaffed African Union (AU) peacekeeping force.

As the UIC had done, al-Shabaab and other Islamic insurgents gained popularity by providing law and order, opposing and defeating the Ethiopians, tackling corruption, dismantling illegal checkpoints, and providing some humanitarian assistance. As al-Shabaab fighters moved into towns, they imposed sharia law and settled disputes and tried criminals by means of a "mobile Sharia court."

Throughout 2008 al-Shabaab stopped "un-Islamic" behavior to "cleanse" Somali society of "moral pollution." The militia closed cinemas, set fire to markets selling *khat* (an indigenous plant whose leaves are chewed to produce a mild euphoric state), shaved the heads of men deemed to have "inappropriate hairstyles," forbade all forms of smoking, and banned music.

Al-Shabaab also perpetrated religiously-based violence. In April 2008, an al-Shabaab-affiliated militia group killed four Christian teachers, two of whom were reportedly Somali converts from Islam. In October 2008, a fifteen-year old girl in a town captured by the group was stoned to death by 50 men in front of 1,000 persons. The young girl's "crime" was that she had been raped by three men. In January 2009, Islamic insurgents killed a Somali politician because of his ties to the Ethiopian government after leveling the bogus charge of "apostasy."

This form of extremely strict interpretation of Islam promoted by al-Shabaab is new to Somali society, which has a reputation for following a more moderate, Sufi-influenced Islam. In fact, moderate elements of Somali society have voiced their concerns about some of the goals and tactics of the Islamic insurgent groups, including the use of suicide bombers, which is socially unacceptable to Somalis. In February 2009, a group of citizens, moderate clerics, and Islamists calling themselves *Ahlu Sunna wa Jamma* (apparently from an Arabic phrase meaning "People of the Tradition of the Prophet and the Community of Believers") came together to fight the more militant al-Shabaab. The group has had some success in driving al-Shabaab from some towns and remains in battle with the radical Islamic group. Nevertheless, al-Shabaab continues to control large parts of the country and attack AU troops, and is blamed for the killing of officials allied with the TFG.

In addition to scoring military victories, al-Shabaab increased its recruitment by exploiting the national hostility to Ethiopia's presence in Somalia and its use of indiscriminate force and human rights violations and by appealing to Islamic solidarity shared by many Somalis. The militia group portrayed Ethiopia as an "occupier" continuing an historical effort to expand Christianity in the Horn of Africa. Reportedly, al-Shabaab attracted unemployed youth by paying new recruits, indoctrinated and recruited students of mosque study circles, and used CDs and other electronic media to popularize martyrdom. Even those who did not approve of al-Shabaab's extremist interpretations of Islam or its heavy-handed military tactics provided passive support as they believed the group was justified in its operations against the Ethiopian troops.

Al-Shabaab also succeeded in recruiting internationally, including in the United States. Dozens of young Somali men living in America are fighting with al-Shabaab in Somalia; one young man from Minnesota was discovered to be the suicide bomber in an October 2008 attack in the northern part of the country. According to FBI officials, nationalist sentiments, not jihadism, are believed to be the reason the men were attracted to al-Shabaab. While there is no evidence they are planning attacks on the United States, the U.S. government is paying close attention to the recruitment effort. Individuals from Europe and elsewhere in Africa are also in Somalia for training and fighting with al-Shabaab.

It is widely known that there are links between al-Qaeda and al-Shabaab, including al-Qaeda providing training, funding, and weapons to the militia through Eritrea; the extent of the links is not known. There is no current evidence that al-Qaeda is using territory held by al-Shabaab to plan attacks on the West. It is known that al-Shabaab leadership has had contacts with al-Qaeda leaders in Pakistan's Federally Administered Tribal Areas (FATA), as well as those responsible for the 1998 bombings of U.S. embassies in Kenya and Tanzania. Al-Qaeda has made several public statements in support of al-Shabaab; in a February 2008 video, Ayman al-Zawahiri stated that al-Shabaab's success in Somalia was "a step on the path of victory of Islam." Despite the unknown strength of its ties to al-Qaeda, al-Shabaab remains quite dangerous.

After the withdrawal of Ethiopian troops, in January and February 2009 the TFG selected a new president, prime minister and parliament, and in February 2009 moved from its base in Djibouti to Mogadishu. The new Somali President, Sheik Sharif, was a former leader of the moderate wing of the UIC. In response, al-Shabaab's stated goal is to oppose the TFG and turn Somalia into an Islamic state where its interpretation of sharia law is implemented nationwide. In February 2009, President Sharif announced that sharia would become the basis for law in Somalia; this move was subsequently unanimously approved by the Somali parliament. However, it is not known what sharia in Somalia will look like in practice; President Sharif has stated that sharia in Somalia should respect human rights and women's rights. Experts believe that the creation of a new government with broad public support, the withdrawal of Ethiopian troops, and the new government's promise to implement sharia may succeed in undercutting support for the militias. Reports indicate that Somalis are tired of fighting and that popular support for al-Shabaab has fallen.

In addition to the increase of radical Islam in Somalia, the country's small and dwindling Christian community is under attack. The community maintains an extremely low profile and information about Somalia's non-Muslims is very limited. Christianity is considered suspect from the perspective of most Somalis because of its perceived identification with long-time enemy Ethiopia, as well as British and Italian colonialism. The few remaining Christians worship only in house churches.

Muslims converts to Christianity also have been attacked. Although conversion is not illegal in Somali, it is not accepted socially. Muslim extremists reportedly killed six Christian converts in 2008. Following one conversion, a church was demolished and the Christians worshipping at the church were attacked. This same church previously was attacked in 2007.

Followers of the Tabligh movement (an international Muslim missionary and revival group) also have been attacked. In May 2008, Ethiopian forces detained fifteen members of the movement for several hours, and, according to the State Department, nine clerics affiliated with the movement were killed in a Mogadishu mosque in April by Ethiopian troops.

Recommendations for U.S. Policy

The Commission concludes that the Transitional Federal Government (TFG) provides an opportunity for Somalia to address security, governance, human rights, and humanitarian needs and take prompt measures to limit the rise in violent religious extremism. The U.S. government should work with the international community to assist the

TFG as it moves forward to address the needs of the country and the citizens.

The Commission recommends that the U.S. government should:

I. Addressing the continuing security situation

- work with international partners and the Transitional Federal Government to bring peace and stability to Somalia, including ensuring that peacekeeping operations are fully staffed; militias are disarmed, demobilized, and reintegrated; Somali intelligence, military, and police officers do not commit human rights abuses and are well-educated on universal human rights; and abuses of human rights are not tolerated and perpetrators are held accountable;

II. Developing a successful governing structure

- work with international partners, the Transitional Federal Government, and the UN Secretary-General's Special Representative to Somalia to 1) develop a governing structure and institutions which are responsive to and address the needs of Somali citizens; 2) ensure that government officials and the legal system respect universal human rights, including freedom of religion or belief and 3) promote reconciliation among political leaders, and between political leaders and Somali citizens, to prevent factionalism from impeding the work of the new government;

III. Ensuring high-level and consistent U.S. engagement in Somalia

- ensure that Somalia receives attention at the highest levels of government and sustained U.S. engagement, including through the appointment of a Special Envoy, to address security, terrorism, governance, human rights, humanitarian, and piracy concerns, as well as work with regional partners to address the regional aspects of the problem; and

IV. Improving religious freedom and other human rights

- ensure that the protection of religious freedom and related human rights are addressed in Somalia, including by funding indigenous civil society organizations that promote human rights, including freedom of religion or belief; awareness programs; national reconciliation efforts; education programs to limit religious extremism; and human rights training and monitoring programs by the UN Office of the High Commissioner for Human Rights.