

# HORN OF AFRICA

Religious freedom violations are prevalent in a number of countries in the Horn of Africa region. As previously discussed in this report, USCIRF continues to recommend Eritrea and Sudan be designated as “countries of particular concern” (CPCs) due to their governments’ systematic, ongoing, and egregious religious freedom violations. In addition, Ethiopia, Kenya, and Somalia also are plagued by religious freedom violations. The U.S.-designated terrorist organization al-Shabaab is responsible for many of the abuses in Kenya and Somalia. However, the Ethiopian and Kenyan governments’ responses to terrorism and increasing religious extremism also lead to religious freedom violations. In Somalia, governmental and societal religious intolerance contributes to that country’s poor religious freedom record.

constitution explicitly prohibits apostasy and names the Qur’an and the Sunnah as the main source of the law within the country.

## Societal and Governmental Intolerance

Somalis are almost all Sunni Muslims. Christians in Somalia are persecuted by their family and their community. Somali clerics and al-Shabaab have stated that Christianity, Christians, and churches are antithetical to Somalia. The Somali government also has shown an intolerance toward Christians. In 2013 and 2015, government officials announced, and later rescinded, a ban on Christmas celebrations in the country.

In a new development, Shi’a Muslims were harassed in Somalia during the reporting period. On December 23, government authorities arrested and deported two

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## Somalia

### Background

The Federal Government of Somalia, the current transitional government, was established in August 2012. In January 2016, Somali political leaders agreed that a permanent government would be voted into power during the August 2016 elections. In 2015, transitional authorities continued the contentious effort to form a federal state, and interim regional administrations still struggled to establish authority.

### Provisional Constitution

The Somali government continues to review the provisional constitution, which includes a number of provisions inconsistent with religious freedom. The

Iranian nationals, accusing them of proselytizing. In January 2016, the Somali government ended relations with Iran. On January 12, a Somaliland judge fined and imprisoned two Pakistani nationals for propagating Shi’a Islam.

### Al-Shabaab

Al-Shabaab (also known as the Harakat Shabaab al-Mujahidin, Shabaab, Mujahidin al-Shabaab Movement, Mujahideen Youth Movement, or Mujahidin Youth Movement) came to prominence in Somalia as the military wing of the Union of Islamic Courts (UIC) in 2006. Its stated goals are to turn Somalia into an Islamic state, build a greater Somalia including areas in neighboring countries with large ethnically-Somali populations, and spread its strict version of Islam. Since 2007, al-Shabaab

has fought both Somali and regional forces in its campaign to control Somalia, at times holding large territories in the central and southern regions of the country.

In February 2012, it pledged allegiance to al-Qaeda. In 2015, divisions emerged within al-Shabaab over its allegiance to al-Qaeda, with a splinter group seeking to join forces with the Islamic State and the Levant (ISIL). On October 22, senior al-Shabaab leader Sheikh Abdiqadir Mumin and some 20 of his followers pledged allegiance to ISIL. In response, al-Shabaab arrested and executed some of these ISIL sympathizers, maintaining its allegiance to al-Qaeda.

During the reporting period, the security situation in central and southern Somalia remained highly volatile. Al-Shabaab executed frequent attacks on the African Union Mission in Somalia (AMISOM), the Somali national army, and civilians in central and southern Somalia and also perpetrated sporadic attacks in the Puntland autonomous region. In Mogadishu, al-Shabaab bombings killed Somali government officials, international representatives, and Somali civilians. The group assassinated federal government officials and their allies whom it viewed as non-Muslims or apostates. In addition, al-Shabaab continued to brutally enforce its extremist interpretation of Islamic law, killing Christians and those accused of “sorcery.” The militants also lashed individuals accused of rape and adultery.

## Kenya

### Background

The Kenyan constitution and other laws protect religious freedom, including the freedom to manifest any religion or belief through worship, practice, teaching, or observance, and prohibit religious discrimination. However, government efforts to respond to al-Shabaab have resulted in large-scale targeting and collective punishment of Somali citizens, ethnic-Somalis, and other Muslims.

### Al-Shabaab

In October 2011, Kenya deployed its military to Somalia to counter al-Shabaab gains in that country. Al-Shabaab responded by expanding its attacks into Kenya, including the September 2013 Westgate mall attack, June-July 2014 five-week campaign across Lamu and Tana River counties, and dozens of other terrorist assaults throughout the country. The group has killed both Muslims and

non-Muslims, but al-Shabaab terrorists routinely seek to identify and isolate Christians during their strikes. The most notable al-Shabaab attack in Kenya during the reporting period occurred on April 2 at Garissa University College; 148 students were killed in the worst terrorist attack in Kenya since the 1998 U.S. Embassy bombing. On June 8, the Kenyan government charged five persons with terrorism for their involvement.

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### Operation Usalama Watch

In April 2014, the Kenyan government initiated Operation Usalama Watch to identify and arrest al-Shabaab terrorists and sympathizers in Kenya. The operation started in Nairobi’s largely Somali Eastleigh neighborhood, then expanded to the ethnically-Somali northeast and majority Muslim coastal regions. Kenyan and international human rights organizations have accused security officials involved in the operation of targeting entire ethnic and religious communities and committing gross human rights abuses, including arbitrary arrests, extortion, illegal detention, torture, killings, and disappearances. In September 2015, the independent, governmental Kenya National Commission on Human Rights (KNCHR) released a detailed report documenting at least 4,000 arrests since April 2014, mostly of ethnic Somalis, many of whom suffered severe abuses in detention; hundreds were later released and the charges against them dropped for lack of evidence. Kenya’s Independent Oversight Policing Authority (IPOA) and international human rights groups reported that security officers deployed to Nairobi’s Eastleigh neighborhood and elsewhere in the country beat scores of people; raided homes, buildings, and shops; and extorted massive sums of money. In Mombasa, three prominent

radical Muslim clerics were assassinated, purportedly by Kenyan security officers. Also in Mombasa, mosques accused of radicalism were closed and subsequently re-opened a short time later.

Operation Usalama Watch also ordered all Somali refugees residing outside the Kakuma and Dadaab refugee camps to immediately return to the camps. After the Garissa University attack, the government announced

income, and require clergy to pass a police clearance, prove accreditation from an approved theological institution, and in the case of foreign clergy, provide work permits and a recommendation from their home government. On January 28, the Kenyan government withdrew the proposal from Parliament following opposition from Catholic, Evangelical Christian, and Muslim groups.

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plans to close Dadaab refugee camp and repatriate all Somali refugees in the country. Voluntary repatriations started in August 2015.

### **Targeting of Human Rights Organizations**

On April 8, following the Garissa University attack, the government classified a number of individuals, businesses, and organizations as entities associated with terrorist groups and froze their bank accounts. Muslims for Human Rights (MUHURI) and HAKI Africa were included in this list. These two Coast-based human rights organizations documented cases of extrajudicial killings and disappearances of alleged terrorism suspects and Muslim clerics, purportedly at the hands of government security forces, and advocated for accountability. The organizations challenged the government's actions, and on November 12 a judge cleared both groups of any terrorism links after the government failed to present evidence. However, the government has yet to unfreeze their bank accounts, preventing the organizations from resuming their work.

### **Regulating Religious Communities**

In January 2016, the Kenyan government sought to implement registration requirements on religious communities and clerics. The proposed legislation would mandate that religious groups submit to the government a statement of faith and a list of their sources of

## **Ethiopia**

### **Background**

Ethiopia has a long history of religious tolerance and inter-religious cooperation, and its constitution protects freedom of religion or belief and provides for separation of religion and state. In 2011-2012, however, in response to concerns about rising extremism, the government imposed the al-Ahbash interpretation of Islam on the country's Muslim community, including through required training for imams; interfered in the independence of the community's representative body, the Ethiopian Islamic Affairs Supreme Council (EIASC); and then arrested and prosecuted Muslims who opposed these actions and engaged in peaceful protests.

### **Convictions for Peaceful Protests**

On July 6 and August 3, 2015 respectively, the Ethiopian government convicted and sentenced 18 leaders of the 2012 Muslim protest movement. They were convicted of plotting to institute an Islamic government and sentenced to seven to 22 years in prison under Ethiopia's controversial Anti-Terror Proclamation. U.S. government officials and human rights organizations have criticized the Ethiopian government's use of the Anti-Terror Proclamation to silence critics. On September 16, the Ethiopian government pardoned six of those convicted.

### **Increased EIASC Oversight of Mosques**

The EIASC is the Ethiopian Muslim community's representative body, but due to the government's interference since 2011 many in the community no longer support it and view its members as government figureheads.

During the reporting period, the EIASC increased its management of the Muslim community. It issued two directives giving it greater oversight, and even ownership, of Ethiopia's mosques. The directives include detailed rules regulating the administration of mosques; give the EIASC authority to issue internal mosque regulations and appoint mosque employees; and prohibit public meetings, speeches and preaching, and fundraising events without the EIASC's written approval.