

12 July 2021

Integrity of the Council Compromised with Somalia in the Vice President Position of the Bureau without Meaningful Freedom of Religion or Belief Reforms

Dear Member State and Observer State of the Human Rights Council,

We are deeply concerned that the Human Rights Council elected a delegate from Somalia to replace Sudan's representative for the Vice President position of the Bureau of the Council, especially in regard to the ongoing religious freedom or belief violations occurring in Somalia and the existence of the death penalty for apostasy in areas of the country controlled by Al-Shabab.

The integrity of the Council is contingent upon its members' respect for resolution 60/251, which they themselves adopted in March 2006 and which affirms the important role of states to, "promot[e] tolerance, respect for and freedom of religion and belief."

Sudan, whose representative formerly held the Human Rights Council Bureau's Vice President role, has exemplified this by repealing their apostasy law in accordance with the UN Special Rapporteur on freedom of religion or belief's recommendations and Resolution 60/251. In Somalia, on the other hand, there are regions where the death penalty is applied for apostasy, and the government in Somaliland continues to penalise and deport those who have left Islam. It is unacceptable that a representative of a nation whose policies and practices so blatantly contravene human rights should be elected to such an influential post in the Council.

As of now, a court in Somaliland is hearing a case against a Christian couple for apostasy and proselytism. Police in Hargeisa arrested the couple on 21 and 22 January 2021 together with their new-born baby, another Somali woman, and an Ethiopian woman.¹ In April 2021 the Ethiopian and Somali women were released and deported. The 2021 arrests come in the wake of a pattern of arrests; in September 2020, Somali authorities arrested and deported another Christian couple on apostasy-related charges.²

The International Community is unanimous that the death penalty for apostasy and blasphemy is incompatible with human rights norms.³ The UN Special Rapporteur on freedom of religion or belief recently expressed that countries who apply apostasy and anti-conversion laws should not be considered for membership in the Human Rights Council, nor are they fit to have their representatives elected to the Bureau, "It is perhaps high time the existence of these laws is deemed inconsistent with membership of the Human Rights Council or at least, election to its bureau."⁴ In addition, in March 2021 over 50 nations

¹ Middle East Concern, "Somaliland Christians Awaiting Verdict", 13 November 2020, <https://www.meconcern.org/2021/06/01/somaliland-christians-awaiting-verdict/>.

² Middle East Concern, "Somaliland Christian Couple Released and Deported," 9 June 2021, <https://www.meconcern.org/2020/11/13/somaliland-christian-couple-released-and-deported/>.

³ "Capital punishment and the implementation of the safeguards guaranteeing protection of the rights of those facing the death penalty, Yearly supplement of the Secretary-General to his quinquennial report on capital punishment", A/HRC/42/28.

⁴ Special Rapporteur Ahmed Shaheed. "No Penalty for Apostasy," Jubilee Campaign-sponsored Human Rights Council Parallel Event, 1 March 2021, Virtual. Keynote Address.

released a clear statement condemning the death penalty for apostasy or blasphemy.⁵ Such statements should be coupled with decisive action.

We therefore, respectfully urge Somalia to:

- Repeal once and for all their apostasy and blasphemy laws, looking to Sudan as an example of improvement and good practices;
- Release immediately all individuals held on the grounds of their religion or belief.

We urge the international community to:

- Call for the resignation of Somalia's representative from the Vice President position in the Bureau if they do not take these steps.

Signatories

Organizations:

Africa Council for Accreditation and Accountability (AfCAA)

Christian Freedom International

Coordination des Associations et des Particuliers pour la Liberté de Conscience.

Forum for Religious Freedom-Europe (FOREF)

Human Rights Without Frontiers

Humanists UK

International Christian Concern

Jubilee Campaign

Kenya Christian Professionals Forum (KCPF)

Kenya Christian Lawyers Fellowship (KCLF)

Legalise Apostasy UK

Lumières Sans Frontières

Set My People Free

Uyghur Human Rights Project

⁵ UN Human Rights Council 46th Session, "The Death Penalty as A Punishment for Blasphemy and Apostasy," Item 3, General Debate, Joint Statement led by Australia, <https://www.dfat.gov.au/international-relations/international-organisations/un/unhrc-2018-2020/statements/46th-session-human-rights-council/joint-statement-australia-death-penalty-blasphemy-apostasy>.

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