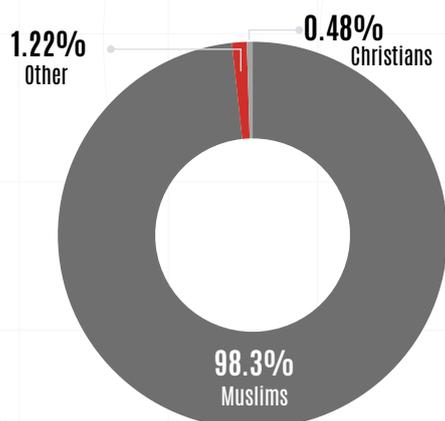




COMOROS

RELIGIONS



LEGAL FRAMEWORK ON FREEDOM OF RELIGION AND ACTUAL APPLICATION

The Union of Comoros adopted a new constitution on 6th August 2018. The new legal framework directly affects religious freedom in the country. In the 2001 constitution, Islam was recognised as a source “for the principles and rules that governed the Union.”¹ In the new constitution, Islam is the state religion (Article 97)² and Sunni Islam is defined as the basis of national identity (Preamble).³ For the non-Sunni minorities, such as the Shias, this constitutes a significant deterioration of their rights. As Comorian constitutional expert Mohamed Rafsandjani stated, under the new constitution “if you are not Sunni, you are not part of the national community”.⁴

Comoros is a federal state, and the islands forming the archipelago enjoy a certain autonomy with their own local governments. The federal government exercises strict control over religious matters. In 2018, the Ministry of Internal Affairs started to work with the National Mufti Council (muftiate) to improve control over imams and preachers by introducing a “professional card” of academic and religious competence.⁵ It seems this move is

intended to prevent religious radicalism. The president has the power to appoint the grand mufti, the country’s senior Muslim cleric. The latter is a government official in charge of religious matters and administration.⁶ All forms of proselytising or religious propaganda by religions other than Sunni Islam are prohibited. Foreigners involved in such activities may be deported. Catholics represent less than 0.5 per cent of the population.⁷ The country has no diocese.

Concerning public education, religious instruction is not mandatory, however, the Qur’ān is used in public primary schools to teach Arabic. Moreover, the government financially supports Qur’ānic schools.⁸ There is also continuous pressure and intimidation against local converts to Christianity, but foreigners are not affected by this threat.⁹ Pressure to conform to orthodox Muslim regulations and customs is felt everywhere.

The changes in the constitution, promoted by President Azali Assoumani in 2018, have also affected the country’s political life and the distribution of power between its islands. Before the changes were introduced, the Presidency of Comoros rotated every five years between the islands. Along with the rotating presidency, the reforms scrapped the position of vice-president, thus increasing the powers of the president, as well as

the Constitutional Court.¹⁰ These reforms have found considerable opposition in the country.¹¹

INCIDENTS AND DEVELOPMENTS

In 2019, the government's Islamic Affairs Directorate banned Christmas celebrations.¹² The Directorate's proposed week-long ban, which was to come into effect on 24th December 2019, stated that the government "condemned and banned any celebration, ceremony or activity linked to the festivity of Christmas in public places, hotels, clubs and houses".¹³ It called on "all the security and police agencies (...) to take all the necessary measures to stop any gathering for Christian activities". The injunction caused significant controversy, especially at international levels. The day after it was issued, Comorian authorities released a statement disavowing the ban, noting that it did not reflect the government's position.¹⁴ Masses were celebrated on Christmas Eve and Christmas Day with no incidents reported.¹⁵

Even though the ban on Christmas did not take place, religious minorities are still denied freedom to practise. As a result, on 18th December 2019, the United States government decided to keep Comoros on its Special Watch List for "governments that have engaged in or tolerated 'severe violations of religious freedom'."¹⁶

Meanwhile, the last two years saw growing political and social instability in the country. A presidential election took place on 24th March 2019, the first since constitutional changes were approved a year before. Incumbent President Azali Assoumani was re-elected.¹⁷ The opposition rejected the results saying that the vote was marred by irregularities, a claim the government denied. Social unrest followed the election, with protests taking place around the country. Violent clashes with the security forces resulted in the death of three opponents and with several injured.¹⁸

In view of the situation, some world governments have updated their travel advisory to Comoros, urging their citizens to exercise extreme caution or reconsider travelling to the country due to the post-election civil unrest.¹⁹ In early 2020 the president's party, the Convention for the Renewal of the Comoros (CRC), won a landslide in the parliamentary elections, which were boycotted by the opposition on the grounds that there were no guarantees that they would be "free, transpar-

ent and democratic".²⁰ The electoral commission estimated a voter turnout of around 61.5 per cent, but the opposition said it was no more than 10 per cent.²¹

During Ramadan 2020, security forces used tear gas against people who had gathered at mosques in violation of a lockdown imposed by the authorities to contain the coronavirus outbreak.²²

PROSPECTS FOR RELIGIOUS FREEDOM

There is no freedom of religion in Comoros except for Muslims who follow the (Sunni) Shafi'i school, and there are no indications of any improvements in the near future. On the contrary, the latest legal developments present a worsening scenario for religious minorities, including Shia Muslims. As Open Doors International reported in 2018, such developments are "expected to make things even harder" for the Christian community as well.²³ According to a Comorian legal expert, the recent constitutional changes could be used as a legal basis to justify discrimination and persecution.²⁴ Furthermore, radicalisation and religious extremism seem to be on the rise in the country.²⁵

Social and political factors are a major source of instability in the country, and here too the situation is not likely to improve in the near future. The 2018 constitutional reform was, for some, a "change in the nature of the regime".²⁶ The fragile power-sharing arrangement between the islands, established when the Union was formed, has broken down. The elimination of the rotating presidency and the concentration of power in the new presidential office can be expected to increase inter-island tensions and social unrest.

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