

MADAGASCAR 2018 INTERNATIONAL RELIGIOUS FREEDOM REPORT

Executive Summary

The constitution provides for freedom of religious thought and expression and prohibits religious discrimination in the workplace. Other laws protect individual religious freedom against abuses by government or private actors. The government began implementation of the nationality law passed in 2017, and local nongovernmental organizations (NGOs) reported an increase in requests for nationality certificates. Muslims born in the country continued to report they were unable to obtain citizenship documentation based on nationality laws that fail to provide a mechanism for some stateless children born in country to naturalize.

Members of the Muslim community and adherents of some evangelical Protestant churches reported they sometimes had limited access to employment due to their religious affiliation, while members of a small Jewish community continued to report general improvement regarding their interaction with society.

U.S. embassy officials regularly engaged with Ministry of Interior officials responsible for registration of religious groups. Embassy officials continued to engage with international community representatives to minimize the impact of the nationality code on stateless persons, including Muslims with long-standing ties to the country. The embassy regularly met with religious leaders throughout the year and organized an interfaith virtual discussion to encourage solidarity among different religious faiths around a common concern.

Section I. Religious Demography

The U.S. government estimates the total population at 25.6 million (July 2018 estimate). According to the last national census in 1993, 52 percent adheres to indigenous beliefs, 41 percent is Christian, and 7 percent is Muslim. It is common to alternate between religious identities or to mix traditions, and many individuals hold a combination of indigenous and Christian or Muslim beliefs.

Muslim leaders and local scholars estimate Muslims currently constitute between 20 and 25 percent of the population. Muslims predominate in the northwestern coastal areas and Christians predominate in the highlands. According to local Muslim religious leaders and secular academics, the majority of Muslims are Sunni. Citizens of ethnic Indian and Pakistani descent and Comorian immigrants

represent the majority of Muslims, although there is a growing number of ethnic Malagasy converts.

Local religious groups state nearly half of the population is Christian. The four principal Christian groups are Roman Catholics, Lutherans, Anglicans, and the Presbyterian Church of Jesus Christ in Madagascar (FJKM Church). Smaller Christian groups include The Church of Jesus Christ of Latter-day Saints, Jehovah's Witnesses, Seventh-day Adventists, and a growing number of local evangelical Protestant denominations.

There are small numbers of Hindus and approximately 360 Jews in the country.

Section II. Status of Government Respect for Religious Freedom

Legal Framework

The constitution provides for freedom of religious thought and expression and prohibits religious discrimination in the workplace. Other laws protect individual religious freedom against abuses by government or private actors. The constitution states that such rights may be limited by the need to protect the rights of others or to preserve public order, national dignity, or state security. The labor code prohibits religious discrimination in labor unions and professional associations.

The law requires religious groups to register with the Ministry of the Interior. By registering, a religious group receives the legal status necessary to receive direct bequests and other donations. Once registered, the group may apply for a tax exemption each time it receives a gift from abroad. Registered religious groups also have the right to acquire land from individuals to build places of worship; however, the law states landowners should first cede the land back to the state, and the state will then transfer it to the religious group. To qualify for registration, a group must have at least 100 members and an elected administrative council of no more than nine members, all of whom must be citizens.

Groups failing to meet registration requirements may instead register as "simple associations." Simple associations may not receive donations or hold religious services, but the law allows them to conduct various types of community and social projects. Associations engaging in dangerous or destabilizing activities may be disbanded or have their registration withdrawn. Simple associations must apply for a tax exemption each time they receive a donation from abroad. If an association has foreign leadership and/or members, it may form an association

“reputed to be foreign.” An association is reputed foreign only if the leader or members of the board include foreign nationals. Such foreign associations may receive only temporary authorizations, subject to periodic renewal and other conditions. The law does not prohibit national associations from having foreign nationals as members.

Public schools do not offer religious education. There is no law prohibiting or limiting religious education in public or private schools.

The government requires a permit for all public demonstrations, including religious events such as outdoor worship services.

The country is a party to the International Covenant on Civil and Political Rights.

Government Practices

As of July media reported an increase in requests for nationality certificates following promulgation in 2017 of a new law enabling a woman to transmit her nationality regardless of her marital status. The legal specialist from the NGO Focus Development reported the court in Antananarivo alone had delivered more than 1,500 certificates since this legal reform. She did not indicate the number of Muslims among those beneficiaries. The new code of nationality did not address the problem of children born of two stateless parents; these individuals remained unable to obtain citizenship, even after several generations of residence in the country. Under the nationality code, children with unknown parentage were to be evaluated based on appearance, ethnicity, and other factors. Muslim leaders continued to state the nationality code affected the Muslim community disproportionately, as many members were descendants of immigrants and were unable to acquire the country’s nationality, despite generations of residence in the country. Children of ethnic Indian, Pakistani, and Comorian descent often had difficulty obtaining citizenship, leaving a disproportionate number of Muslims stateless. A 2014 study by Focus Development and the Office of the UN High Commissioner for Refugees estimated that approximately 6 percent of individuals in the communities surveyed were stateless and of this number, more than 85 percent were born in the country.

The Ministry of the Interior registered 49 new religious groups during the year, an increase from 17 registrations in the previous year, bringing the total to a reported 345 officially registered groups. Religious groups stated the government did not always enforce registration requirements and did not deny requests for registration.

In addition, the government acknowledged that some registered groups may have become inactive or have dissolved without informing the government.

Religious leaders continued to state that inadequate government enforcement of labor laws resulted in some employers requiring their employees to work during religious services. Faith-based social centers receiving vulnerable workers and labor unions continued to report that employers failed to respect the labor code provisions requiring a 24-hour break weekly, which affected factory workers' ability to attend worship services.

The leadership of the Muslim Malagasy Association, which states it represents all Muslims in the country, reported some Muslims continued to report difficulty obtaining official documents such as national identity cards and passports because of their Arabic-sounding names.

State-run Malagasy National Television continued to provide free broadcasting to the Seventh-day Adventist Church and to Roman Catholics, Lutherans, Anglicans, and Presbyterians on weekends, along with the Muslim community once a week. During Ramadan, the Muslim community was able to purchase additional airtime. The leader of a well-known local evangelical Christian church reported his church rarely received access to the state-run television and radio, even if it agreed to pay for the broadcast time.

Because religion and politics are often closely linked, it was difficult to categorize many incidents as being solely based on religious identity. The media stated that politicians sought to use religion and religious events to increase their visibility ahead of the presidential elections scheduled to occur by the end of the year. Several prospective candidates appeared in larger religious events such as the 50th anniversary of the FJKM Church, the eighth annual Catholic youth assembly, and other smaller religious events and gatherings. Several media outlets criticized what they called an obvious intent to use religious occasions as a tool to target and attract potential voters through their religious affiliation.

In August the central committee of the church council FFKM (composed of the four biggest Christian churches of the country) released a communique urging citizens of voting age to make the best choice during the upcoming presidential elections. The communique described the ideal candidate as a person who believes in God as defined by Christianity. Many observers viewed the communique as referring to traditional or mainstream Christianity and as aiming to denigrate and exclude a specific candidate who was the founder and leader of a local evangelical

Christian church with what observers described as nontraditional views. In October, however, Catholic bishops announced during the official closing of a youth general gathering in Mahajanga that the Catholic Church (part of the FFKM) deliberately avoided endorsing any presidential candidate.

Section III. Status of Societal Respect for Religious Freedom

Members of the Muslim community in Mahajanga reported the public generally associated them with Islamists and extremists, in addition to labeling them with other negative stereotypes.

In June Catholic Cardinal-designate Tsarahazana Desire reportedly warned a Catholic charity, Aid to the Church in Need, that “extremist Islam was being introduced” to Madagascar, stating that radical groups from the Gulf States and Pakistan were “buying people” and funding large numbers of foreign Muslims to enter the country, as well as planning to build 2,600 mosques. He also stated that women in the north were being paid to wear a burqa in public in order to advertise the expansion of Islam. These and similar allegations had circulated repeatedly since 2016, but several locally based diplomats and journalists who investigated the allegations stated they were untrue.

Members of the Muslim community and adherents of some evangelical Protestant churches, especially those celebrating their Sabbath on a Saturday, stated they were sometimes denied access to employment, and believed it was due to their religious affiliation. Members of the small Jewish community, however, reported a general improvement of their interaction with society; examples included increased acceptance by members of their local community and increased acceptance of their children at local schools.

In August a newspaper reported a parish priest from a Catholic church in Antananarivo had denounced the deliberate destruction of statues of the Virgin Mary on the national roads. He said unknown individuals destroyed the statues for unknown reasons and described such acts as hatred and disrespect towards Catholicism.

Section IV. U.S. Government Policy and Engagement

U.S. embassy officials regularly engaged with the Ministry of Interior to discuss registration and to understand the status of various religious groups. Embassy officials continued to discuss the nationality code with members of the diplomatic

community and local representatives of the United Nations who focused on human rights in order to undertake joint approaches to encourage the government to amend the new code to allow for naturalization of certain categories of stateless persons.

In February the embassy hosted an interfaith virtual discussion with a leading member of a U.S. Islamic organization in which she shared her vision on fighting extremism, including ISIS. The speaker also shared her experience and stories about restrictions on religious freedom around the world. The audience included representatives from different religious groups and members of civil society, who could exchange their points of view on the situation and interact with the speaker. The program, streamed live on Facebook, reached 3,840 persons, with 1,978 views and 137 reactions, comments, or shares.