

MALDIVES 2012 INTERNATIONAL RELIGIOUS FREEDOM REPORT

Executive Summary

The constitution and other laws and policies restrict religious freedom and, in practice, the government enforced these restrictions. The trend in the government's respect for religious freedom declined during the year. There were increasing reports of abuses of religious freedom, religious intolerance, and governmental restriction of religious freedom and pressure to conform to a stricter interpretation of Islamic practice, particularly following the change of government in February. The authorities did not recognize or respect freedom of religion and it remained severely restricted. The law prohibits citizens' practice of any religion other than Islam and requires the government to exert control over all religious matters, including the practice of Islam.

There were reports of societal abuses and discrimination based on religious affiliation, belief, or practice. There was an increasing trend among political leaders to call for greater limits on religious groups and activities. There was an increasing use of religion in political rhetoric, which led to derogatory statements about Christianity and Judaism, and harassment of citizens calling for a more tolerant interpretation of Islam. Anti-Semitic rhetoric among conservative parties continued.

There was no permanent U.S. diplomatic presence in the country. Engagement with the government and civil society was conducted by the U.S. embassy in Sri Lanka. Embassy officers traveled to the country regularly to emphasize to the Maldivian authorities the importance of the right to religious freedom. The embassy advocated for the right of all residents of the country to practice the religion of their choice, and encouraged efforts to promote religious tolerance.

Section I. Religious Demography

According to government statistics, the population is 350,800. All citizens are required to be Muslim and the majority of the population practices Sunni Islam. Non-Muslim foreigners, including an estimated 800,000 tourists who visit annually and 100,000 foreign workers (mainly Bangladeshis, Sri Lankans, Indians, and Pakistanis), may practice their religions only in private. Most Muslim tourists and Muslim foreign workers practice Islam in private or at mosques located at the resorts where they work and live.

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Section II. Status of Government Respect for Religious Freedom

Legal/Policy Framework

The constitution and other laws and policies restrict religious freedom. The constitution designates Sunni Islam as the official state religion and government regulations are based on Islamic law. The government interprets these provisions as imposing a requirement that all citizens be Muslim. Non-Muslims may not obtain citizenship. The constitution does not provide for the right to freedom of religion or belief, nor does it prohibit discrimination based on religion. The constitution bars non-Muslims from voting and holding public positions. The constitution also stipulates that judges, cabinet ministers, members of parliament, and the president must be Sunni.

The government follows civil law based on Islamic law. Civil law is subordinate to Islamic law. In a situation not covered by civil law, and in certain cases such as divorce and adultery, Islamic law is applied.

The law prohibits public statements that are contrary to Islam and violators face penalties ranging from two to five years in prison or house arrest.

Mosques are required to register with the government. The government maintains and funds most mosques.

Several articles in the constitution make the practice of Islam mandatory. Schools are required to “inculcate obedience to Islam” and “instill love for Islam.” According to the international nongovernmental organization (NGO) Forum 18, this is understood to mean that parents must educate their children as Muslims, whether they are Muslim or not.

The Ministry of Islamic Affairs mandates Islamic instruction in schools, funds salaries of religious instructors, and certifies imams, who are responsible for presenting government-approved sermons. By law, no one may publicly discuss Islam unless invited to do so by the government, and imams may not prepare sermons without government authorization.

The Decentralization Law requires that local councils approve preaching in mosques and other public locations.

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The “Protection of Religious Unity among Maldivians Act” states that both the government and the people must protect religious unity. Any statement or action found contrary to this aim is subject to criminal penalty. Specific crimes listed in the act include working to disrupt the religious unity of Maldivians, any discussions or acts promoting religious differences, and delivering religious sermons or engaging in public discussions in a way that infringes upon the independence and sovereignty of the country, or limits the rights of a specific section of society.

Violators are subject to sentences ranging from a fine to imprisonment or deportation for foreigners. Regulations passed in 2011 stipulate stricter requirements for preaching in the country, and the regulations contain general principles for the delivery of religious sermons. The regulations prohibit statements in sermons that may be interpreted as racial and gender discrimination, prevent access to education or health services in the name of Islam, or demean the character or create hatred towards people of any other religion. In addition, the regulations require any scholar to have prior written approval from the Ministry of Islamic Affairs to preach in the country. Foreign scholars may not criticize domestic policies and laws in their sermons.

The regulations state, “It is illegal to propagate any other religion other than Islam.” Penalties for violations range from two to five years in prison or house arrest, depending on the gravity of the offense. Islamic proselytizing of Sunnis and non-Sunnis is illegal unless a government representative is present. The penalty for Islamic proselytizing is two to five years in jail or house arrest, depending on the gravity of the offense. If the offender is a foreigner, his/her license to preach in the country would be revoked and he/she would be deported. Proselytizing of Muslims by adherents of other religions is also illegal, and the penalty is the same as for Islamic proselytizing.

Non-Muslim foreign residents may practice their religions only in private and may not encourage local citizens to participate. Foreigners may raise their children to follow any religious teaching as long as this is done privately in their homes or hotel rooms and they do not include citizens in their religious activities.

By law, foreigners may not import any items deemed “contrary to Islam,” including alcohol, pork products, or religious statues for worship. Alcoholic beverages are available to tourists on resort islands, but it is against the law to offer alcohol to a citizen. The government generally permits the importation of religious

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literature, such as Bibles, for personal use. The sale of religious items, such as Christmas cards, is restricted to the resort islands patronized by foreign tourists.

The government registers only clubs and other private associations that do not contravene Islamic or civil law.

By law, a Maldivian woman cannot marry a non-Muslim foreigner unless he converts to Islam first. A Maldivian man, however, can marry a non-Muslim foreigner, if the foreigner is from a religion that is allowed under Islamic Shariah, i.e., Christianity and Judaism. A Maldivian man cannot marry a non-Muslim foreigner from a religion not allowed under Islamic Sharia unless that person converts to Islam prior to marriage.

The government observes the following Islamic holy days as national holidays: Milad un Nabi (Birthday of the Prophet Muhammad), the first day of Ramadan, Eid al-Fitr, Eid al-Adha, and Al-Hijra (Islamic New Year).

Government Practices

There were increasing reports of abuses of religious freedom, including reports of detention, religious intolerance, and governmental restrictions on religious freedom and pressure to conform to a stricter interpretation of Islamic practice.

The government interpreted the conversion by a Muslim to another religion as a violation of Islamic law, which could result in punishment, including loss of the convert's citizenship. During the year, there were no known cases of the government discovering converts and rescinding citizenship as a result of conversion; however, the government subjected individuals who made public calls for religious tolerance to extended extrajudicial police detention. The government deported individuals found with Christian images. The government detained several individuals for periods of several weeks on charges of "anti-Islamic" behavior before releasing or deporting them.

The government, often through the Ministry of Islamic Affairs, continued to control all religious matters. The government set standards for imams to ensure they had adequate theological qualifications and to prevent "extremist" teachings from gaining ground. The ministry required that Friday prayers be led by a religious figure pre-approved by the ministry. The ministry's weekly newspaper, *Road to Steadfastness*, printed articles by scholars advocating the same line of

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religious thinking as the ministry. According to government officials, the purpose was to maintain a moderate Islamic environment.

In May local councils controlled by the former ruling Maldivian Democratic Party (MDP) refused to authorize sermons in mosques by religious scholars of the Adhaalath Party on grounds that they could “disrupt peace and create unrest.”

On September 27, authorities detained a Bangladeshi Christian for 23 days before deporting him. According to his employer, a U.S.-based religious organization, the man was detained after police discovered books on Christianity in his possession. He was not charged with any crime prior to deportation. Subsequently, the authorities blacklisted an American from entering and conducting business in the country and deported him after police collected evidence connecting him with the Bangladeshi Christian.

There were no places of worship for members of non-Islamic religious groups. The former minister for Islamic affairs noted that foreigners such as teachers and laborers were free to worship in the privacy of their homes, but congregating for prayer was illegal.

The government prohibited non-Muslim clergy and missionaries from proselytizing or conducting public worship services.

The Ministry of Islamic Affairs continued to enforce official prayer times and did not allow Muslims to hold Friday prayers at different times. Some Muslims objected to this, asserting it did not take into account the movements of the lunar calendar. The ministry justified the rule by stating that separate groups deciding their own prayer times violated the Protection of Religious Unity Act, which was intended to standardize religious practices.

The Ministry of Islamic Affairs banned “discos,” and tasked the police with conducting patrols to close down unauthorized gatherings. The ministry continued efforts to curb what it described as the prevalence of “un-Islamic” practices within the country due to a lack of religious awareness. For the second consecutive year, the ministry conducted awareness programs in Male and on various atolls to ensure that citizens were given the “correct information on Islam.” The ministry also provided assistance and counseling to foreigners seeking to convert to Islam.

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The government continued to implement a program aimed at promoting Islamic religious awareness in schools. The program reportedly aimed to create youth who “love the religion and the country” and respected their parents.

Anti-Semitic rhetoric by public officials continued during the year. In January current Home Minister and leader of the Dhivehi Qaume Party (DQP) Mohamed Jameel, who was not at the time in the government, published a pamphlet entitled “President Nasheed’s Devious Plot to Destroy the Islamic Faith of Maldivians.” Jameel and DQP allies, such as current Presidential Advisor Hassan Saeed, alleged that then-president Nasheed’s administration had worked to weaken Islam in the country, as part of an effort to spread Christianity and promote a “Jewish Zionist conspiracy.” The pamphlet received widespread attention upon its release and played a role in the events that eventually led to the February 7 transfer of power.

During the year, President Waheed warned the nation that foreign parties were attempting to influence the country’s ideology and promote secularism; he urged citizens to resist these impulses.

Government Inaction

On June 4, a mob attacked and stabbed local journalist Ismail “Khilath” Rasheed, known for his moderate views on Islam. Rasheed believed the attack was carried out by violent extremists in the country. No arrests were made and Rasheed subsequently left the country. During the year, police did not investigate a December 2011 attack on Rasheed that left him hospitalized with head injuries. A 2011 ban and block on Rasheed’s blog, *Hilath.com* – placed by the Islamic ministry because of its alleged anti-Islamic content – remained in effect.

Section III. Status of Societal Respect for Religious Freedom

There were reports of societal abuses and discrimination based on religious affiliation, belief, or practice. During the year, discrimination, intolerance, and harassment of individuals calling for any discussion of moderate Islam increased. Politicians manipulated the public discourse by calling into question the Islamic values of political rivals and effectively stopped constructive discourse on social issues. This created a culture of self-censorship and fear as politicians, civic figures, and journalists were unable to initiate discussions on Islamic values or basic human rights.

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On October 1, member of parliament Afrasheem Ali was found stabbed to death in his apartment building. One of the more prominent theories about his murder was that violent extremists viewed Afrasheem's very public moderate approach to Islam as apostasy and killed him to send a message to moderate Muslims that a strict interpretation of Islam was the only acceptable approach. The case remained under investigation at year's end, with one person charged in the murder.

On February 7, pre-Islamic artifacts in the National Museum were destroyed by a mob during the political turmoil that led to a transfer of presidential power. The mob broke into the building and destroyed artifacts, including a stone head of Lord Buddha and a statue of the Hindu water god Makara. In May the police forwarded to the prosecutor general a case against four men on suspicion of destroying the artifacts. At year's end, the prosecutor general had not acted on the case.

There was public pressure for women to conform to a narrow standard of appropriate dress. Women who did not wear a veil were reportedly harassed, while those who wore a full face-covering veil were subjected to public harassment and derogatory comments.

Imams and religious NGOs paid taxi drivers to play specific recorded sermons opposing practices perceived as non-Islamic to taxi passengers. Many women reported taxi drivers played sermons expressing the view that women who did not wear veils would be punished in the afterlife. Men reported that if they asked to stop near banks, they were forced to listen to sermons about the evils of non-Islamic banking practices.

Section IV. U.S. Government Policy

There was no permanent U.S. diplomatic presence in the country. All engagement with the government and civil society was conducted by staff of the U.S. embassy in Colombo, Sri Lanka. Embassy officers traveled to the country frequently. The embassy encouraged the government to respect the right to religious freedom, and advocated for the right of all residents of the country to practice the religion of their choice. The embassy also engaged the government on efforts to promote tolerance and reduce violent extremist rhetoric or derogatory statements about other religions.