

MALDIVES 2014 INTERNATIONAL RELIGIOUS FREEDOM REPORT

Executive Summary

The constitution and other laws and policies officially restrict religious freedom and the government actively enforced these restrictions. The constitution requires public office holders such as the president, ministers, judges, and members of the National Assembly to be Muslims and followers of the Sunni school of Islam. The law prohibits citizens' practice of any religion other than Sunni Islam, and stipulates that non-Muslims cannot become citizens. The government exerts control over all religious matters, including the practice of Islam. Within Islam, proselytizing to change denominations is illegal unless a government representative is present. Propagation of any religion other than Islam is a criminal offense. The Ministry of Islamic Affairs continued efforts to pressure Maldivians to conform to a stricter interpretation of Islamic practice. The parliament revised a law on religious unity, moving control of all mosques and prayer houses from local councils back to the Islamic ministry. Restrictions on practicing other religions were not enforced for foreign tourists on resort islands but were for foreigners outside the resort areas.

There were reports of societal abuses and discrimination based on religious affiliation, belief, or practice, particularly incidents against those who did not conform to a strict, conservative interpretation of Islam. Despite the passage of a new penal code, which generally follows international norms and complies with the country's constitution, some politicians and Islamic scholars continued to call for imposing harsher criminal punishments more in line with a conservative interpretation of Islamic law.

There was no permanent U.S. diplomatic presence in the country, but U.S. embassy personnel based in Sri Lanka engaged on a routine basis with the government and civil society. Embassy officers traveled to the country regularly to emphasize to 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 in the manner of their choosing, and encouraged efforts to promote religious tolerance.

Section I. Religious Demography

The U.S. government estimates the total indigenous population at 393,595 (July 2014 estimate). The indigenous population is overwhelmingly Sunni Muslim. The

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official religion is Sunni Islam, and the constitution prohibits the practice of any other religion. More than 100,000 workers from Bangladesh, Sri Lanka, India, and Pakistan from various religious groups are distributed geographically throughout the resort islands.

Section II. Status of Government Respect for Religious Freedom

Legal Framework

The constitution designates Sunni Islam as the state religion, and government regulations are based on Islamic law. Several articles in the constitution make the practice of Islam mandatory. Non-Muslims may not obtain citizenship. The constitution does not provide for the right to freedom of religion or belief and does not prohibit discrimination based on religion. The constitution bars non-Muslims from voting and holding public office; it stipulates that judges, cabinet ministers, members of parliament, and the president must be Sunni Muslims.

The constitution prohibits utterances contrary to tenets of Islam or the government's religious policies. It limits citizens' right to freedom of expression in order to protect the "basic tenets of Islam" and prohibits criticism of the government's policies on religion. Non-Islamic religious and secular discourse is strictly monitored.

The justice system is based on a hybrid of common and Islamic laws. Civil law is officially subordinate to Islamic law. Islamic law is applied to situations not covered by civil law, such as divorce and adultery cases. The law prohibits public statements contrary to Islam, and violators face penalties ranging from two to five years in prison or house arrest.

The law prescribes flogging sentences for a number of crimes, including fornication. Women are more likely to receive a flogging sentence than men.

Schools are required to "inculcate obedience to Islam" and "instill love for Islam." According to the international nongovernmental organization (NGO) Forum 18, these provisions are understood to mean parents must educate their children as Sunni Muslims.

The Ministry of Islamic Affairs mandates Islamic instruction in schools and funds salaries of religious instructors. It also certifies imams, who are responsible for

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presenting government-approved sermons, which provide content for Friday prayers. Only foreign nationals can opt out of Islamic instruction in schools.

Mosques are required to register with the government. The government maintains and funds most mosques. 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 law states 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 infractions include working to disrupt religious unity, 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. Sentences for violators range from a fine to imprisonment, and may include deportation for foreigners.

Propagation of any religion other than Islam is a criminal offense. Penalties range from two to five years in prison or house arrest, depending on the gravity of the offense. Within Islam, proselytizing of Sunnis and non-Sunnis to change denominations 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 or her license to preach in the country will be revoked, and he or she will be deported. Proselytizing of Muslims by adherents of other religions is also illegal, and the penalty is the same as for Islamic proselytizing.

Government regulations stipulate strict requirements for preaching and contain general principles for the delivery of religious sermons. The regulations prohibit statements in sermons that may be interpreted as racial and gender discrimination; discourage access to education or health services in the name of Islam; or demean the character of, 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. Foreign scholars may not criticize domestic policies and laws in their sermons.

Non-Muslim foreign residents may practice their religion only in private and may not encourage local citizens to participate. Foreigners may raise their children to

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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.

The law prohibits importation of 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 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 only registers clubs and other private associations that do not contravene Islamic or civil laws; many informal groups, such as the bar association, do not have to register.

By law, a Maldivian woman cannot marry a non-Muslim foreigner unless he converts to Islam first. A Maldivian man can marry a non-Muslim foreigner if the foreigner is Christian or Jewish; other foreigners must convert to Islam prior to marriage.

The government interprets 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. There are no known cases of the government discovering converts and rescinding their citizenship.

Government Practices

On February 11, Minister of Islamic Affairs Mohamed Shaheem Ali announced eleven key objectives to reinforce Islam as the only recognized religion, except for tourist areas. They included strengthening Islam; establishing and reinforcing sharia; establishing *zakat* (a religious tax); ensuring all laws and regulations fit Islamic principles; advising state institutions on religious matters; strengthening the ability of the Islamic Fiqh Academy – established by the Ministry of Islamic Affairs to advise the government on Islamic jurisprudence – to issue fatwas; and reforming the national curriculum for compatibility with Islamic principles. Islamic marriage guidance and annual Islamic fairs were also part of planned awareness programs, and the ministry collaborated with Discover Islam, a Bahraini religious NGO, to organize programs. The ministry emphasized that publications and media content produced domestically or brought in from abroad would be strictly monitored to make sure it was not in conflict with Islam.

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On May 13, a sexual offenses bill was passed into law. The Fiqh Academy had earlier criticized this legislation as “un-Islamic” because the bill contained conditional recognition of marital rape as a crime. The academy considered criminalization of marital rape as contradictory to Islamic law.

Despite passage of the new penal code, some politicians and Islamic scholars continued to call for imposing criminal punishments more in line with a conservative interpretation of Islamic law.

The government, acting through the Ministry of Islamic Affairs, continued to control all matters relating to religion and religious belief. The government set standards for imams to ensure they had theological qualifications the government considered adequate and to prevent “extremist” teachings from gaining ground. The ministry required Friday prayers be led by imams using government-approved sermons. Prayer congregations needed to be authorized by the ministry to ensure practices stayed within the bounds of law and religious structures and were supported by learned religious scholars.

In February the Ministry of Education introduced Arabic language instruction as an optional subject for grades 1-12 in twelve schools as part of its Islamic education drive. The introduction of Arabic language in all schools was part of the government’s effort to mainstream Arabic education, with a particular focus on Islamic education and the study of the Quran. Local religious scholars had expressed concern most citizens had little or no understanding of Arabic.

In what observers stated was a response to religious conservatives, including pressure from the Adhaalath Party, which promoted a more austere form of Islam, and religious NGO Jamiyyathul Salaf, which voiced concerns about “anti-Islamic” aspects in the new education curriculum, the president assured critics that creative arts – including music and dance – would not be compulsory in schools.

The government continued to prohibit establishment of places of worship for non-Islamic religious groups. Foreigners, such as teachers and laborers, were free to worship in the privacy of their homes, but congregating for prayer was illegal. The government continued to enforce its ban on proselytizing or public worship services by non-Muslim clergy and missionaries.

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In March the local council filed a complaint with the Islamic ministry against Sheikh Ibrahim Shameem Adam after he allegedly preached inside the Innamaadhoo island mosque in Raa Atool without obtaining permission.

The government continued to scrutinize media outlets and websites for material deemed un-Islamic or anti-Islamic. In March police initiated an investigation of a Facebook page titled “Dhivehi Atheists/Maldivian Atheists.” The Ministry of Islamic Affairs continued to block websites considered anti-Islamic or pornographic. As of October, a Telecommunications Authority ban on a local blog, *Hilath.com*, continued. The original ban came at the request of the Islamic ministry because of the blog’s alleged anti-Islamic content. The blog was known for promoting religious tolerance as well as for discussing the blogger’s sexual orientation.

On March 31, the parliament passed amendments that brought all mosques and prayer houses under the control of the Ministry of Islamic Affairs rather than continued control by the country’s island councils.

Police continued to conduct patrols to close down unauthorized gatherings. On September 30, police arrested an imam for leading an unauthorized independent prayer and delivering Friday prayer sermons at the Dharumavantha Mosque in Male. He was taken into custody for “attempting to incite religious strife and discord,” according to police. Authorities stated that leading prayers without authorization from the Islamic ministry was a violation of the Protection of Religious Unity Act. The Criminal Court sentenced the self-appointed imam to two years imprisonment.

The Ministry of Islamic Affairs continued efforts to curb what it described as the prevalence of “un-Islamic” practices, such as frequenting discos, due to a perceived lack of religious awareness. Foreign tourists on resort islands were not subject to the restrictions. The ministry continued to conduct awareness programs in Male and on various atolls to ensure citizens were given information on Islam, and it provided assistance and counseling to foreigners seeking to convert to Islam.

Section III. Status of Societal Respect for Religious Freedom

In mid-July during the Gaza conflict, anti-Israeli protests grew in Male and some outlying islands, in which some demonstrators carried flags, placards, and banners with anti-Israeli slogans and anti-Semitic symbols including swastikas and signs

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comparing Israeli actions in Gaza to those of the Nazis before and during World War II. After a confrontation between the demonstrators and Israeli tourists on July 28, police evacuated approximately 30 Israeli tourists from Kaafu Thulusdhoo Island.

According to press accounts concerning the parliamentary election campaign in March, some candidates called into question the Islamic values of opponents, which observers stated led to the stifling of discourse on some social issues and created a culture of self-censorship on issues of religion.

NGOs Jamiyyathul Salaf and the Islamic Foundation of Maldives worked closely with the country's political parties to promote a strictly conservative form of Islam. The Adhaalath Party advocated further limiting outlooks and actions in the civil, political, educational, and religious spheres that did not align closely with Sunni Islam. This included the party's proposal that music and dance not be compulsory in schools.

Numerous "Defend Islam" protests warned against forces eroding Islamic traditions and culture. Community pressure for women to conform to a narrow standard of appropriate dress intensified, and women who did not wear a veil were reportedly harassed. There were also reports, however, women who wore a full face-covering veil were also subjected to public harassment and derogatory comments accusing them of being "extremists."

Section IV. U.S. Government Policy

There is no permanent U.S. diplomatic presence in the country. All engagement with the government and civil society was conducted by visiting staff of the U.S. Embassy in Sri Lanka, who traveled to Maldives frequently. The embassy encouraged the government to respect the right to religious freedom. The embassy also engaged the government on efforts to promote tolerance and reduce violent extremist rhetoric or derogatory statements about other religions, specifically on government efforts to counter the rise of what it characterized as radical Islam. After demonstrations that included anti-Israel messages and those in favor of the Islamic State in Iraq and the Levant, embassy officials engaged the government on strategies to combat intolerance.