

MADAGASCAR 2015 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. A study by a nongovernmental organization (NGO) and the UN High Commissioner for Refugees (UNHCR) found many Muslims born in country were unable to obtain citizenship documentation based on nationality laws that limit the ability of Malagasy women to pass on citizenship to their children when the father is a noncitizen. Leaders of the Muslim community and other religious groups engaged in national political reconciliation talks sponsored by the (Presbyterian) Church of Jesus Christ in Madagascar (FJKM) in May.

There were no reports of significant societal actions affecting religious freedom. U.S. embassy officials engaged regularly with the government on issues affecting religious freedom, including the impact of the nationality code on many Muslims with long-standing ties to the country. The embassy also engaged civil society and government officials on these issues.

Section I. Religious Demography

The U.S. government estimates the total population at 23.8 million (July 2015 estimate), and according to the last national census in 1993, 52 percent adheres to indigenous beliefs, 41 percent is Christian, and 7 percent is Muslim. Although precise current figures are not available, Muslim leaders and local scholars estimate Muslims constitute up to 20 percent of the population, and other diplomatic sources estimate the Muslim population to be 25 percent. 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.

Local religious groups report nearly half of the population is Christian. The four principal Christian groups are Roman Catholics, Lutherans, Anglicans, and the FJKM. Smaller Christian groups include The Church of Jesus Christ of Latter-day

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Saints (Mormons), Jehovah's Witnesses, Seventh-day Adventists, and local evangelical denominations.

According to Christian groups, the most numerous non-Christian groups are adherents of indigenous religions. In addition, many people hold a combination of indigenous and Christian or Muslim beliefs.

There are small numbers of Hindus and Jews across 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 also provides 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 law protects individual religious freedom against abuses by governmental or private actors. The labor code prohibits religious discrimination within labor unions and professional associations. There is no law requiring religious education in public schools or prohibiting or limiting religious education in private schools.

The law requires religious groups to register with the Ministry of Interior (MOI). By registering, a religious group receives the legal status necessary to receive direct bequests and other donations. Registered religious groups also have the right to acquire land from individuals to build places of worship. 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 additional activities are subject to legal action. Religious 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

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nationals. The law does not prohibit national associations from having foreign nationals as members not in those positions. Such foreign associations may only receive temporary authorizations, subject to periodic renewal and other conditions.

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

Government Practices

Muslim leaders stated that due to their particular settlement history and mixed marriages over time, Muslims remained negatively affected by the country's nationality code, which restricts children born of Malagasy mothers and foreign national fathers from obtaining citizenship. While there were no official figures on statelessness, a study by the NGO Focus Development and the UNHCR, which sampled residents in largely Muslim communities, estimated that approximately 6 percent of individuals in the communities surveyed were stateless. Of this number, more than 85 percent were born in the country.

The MOI registered 20 new religious groups through the middle of October, bringing the total to approximately 270 officially registered groups. During the year, the MOI approved all requests received and, in some cases, allowed associations to start operating before officially approving their request. Religious groups reported the government did not always enforce the registration requirement and in general did not deny requests for registration.

Contrary to previous years, there were no reports the government denied any religious groups permits for public demonstrations, including by the FJKM, which had reported such denials in the past.

Decisions by local authorities continued to affect the ability of some religious groups to practice their faith. In one town, for example, the chief of district maintained a decree from 2014 that Friday, Saturday, and Sunday were market days, making it financially prohibitive for both Christian and Muslim vendors to attend their respective religious services. Religious leaders also stated that inadequate government enforcement of labor laws resulted in some employers requiring their employees to work during religious services.

Radio Fahazavana, sponsored by FJKM, received authorization to resume broadcasting from the Ministry of Communication in April. The station was shut down by the former government because it was associated with deposed President Marc Ravalomanana, and had remained off the air. The authorization by the

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ministry required the station to employ a pastor in a supervisory role to ensure its broadcasts were limited to religious topics. Although the managers of the station stated this limitation was a form of government interference, they accepted this requirement. The station resumed broadcasting by the end of September, but the managers said it suffered from technical difficulties because most of their equipment was seized or damaged by the former government.

Some members of the Muslim community noted a general improvement in their ability to worship. Muslim leaders attributed the improvements in part to increased representation in government (including two ministers, six members of the national assembly, and at least one ministerial chief of staff) following the 2013 democratic elections. The Muslim community built several new mosques and, contrary to previous years, community leaders reported local authorities demonstrated greater willingness to issue official documents to people with Arabic-sounding names. According to several civil society groups, however, obtaining official documentation occasionally remained a problem for Muslims. Muslim community members in Mahajanga, on the northwest coast, reported that their Arabic-sounding names continued to lead to greater scrutiny at airports while travelling.

Leaders of the Muslim community and other religious groups engaged in national political reconciliation talks sponsored by the FJKM in May.

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 government decreed that Eid al-Adha would be a paid holiday for Muslims. This declaration sparked responses from non-Muslims, who argued that the holiday should be a paid holiday for everyone, as were national holidays based on the Catholic faith.

Section III. Status of Societal Respect for Religious Freedom

There were no reports of significant societal actions affecting religious freedom.

Section IV. U.S. Government Policy

U.S. embassy officials engaged regularly with the government on issues affecting religious freedom. Embassy officials discussed the nationality code with the

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Ministry of Foreign Affairs, local officials, members of the diplomatic community, and local representatives of the United Nations focused on human rights. The embassy also discussed such issues with civil society.