

MALDIVES

Executive Summary

The constitution and other laws and policies restrict religious freedom and, in practice, the government enforced these restrictions. The government demonstrated a trend toward deterioration in respect for and protection of the right to religious freedom. Freedom of religion remained severely restricted. The law prohibits citizens' practice of any religion other than Islam and requires the government exert control over all religious matters, including the practice of Islam.

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

The U.S. government does not maintain an embassy in the country. All engagement with the government and civil society was conducted by the U.S. embassy in Sri Lanka, and officers from the embassy traveled to the country frequently. The U.S. government encouraged the government to respect the right to religious freedom, especially the ability for non-Muslims to practice their own beliefs. The U.S. government also engaged the government on its efforts to promote tolerance and reduce extremist or derogatory rhetoric.

Section I. Religious Demography

The entirety of the population belongs to a distinct ethnic group with historical roots in South Indian, Sinhalese, and Arab communities. The vast majority of the Muslim population practices Sunni Islam. Non-Muslim foreigners, including an estimated 675,000 tourists who visit annually (predominantly Chinese, Europeans, and Japanese) and 100,000 foreign workers (mainly Bangladeshis, Sri Lankans, Indians, and Pakistanis), in general were allowed to practice their religious beliefs only in private. Most Muslim tourists and Muslim foreign workers chose to practice Islam in private or at mosques located at the resorts where they worked and lived.

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 Islam as the official state religion and government regulations are based on Islamic law. The government and many citizens at all levels interpret these provisions as imposing a requirement that all citizens be Muslims. The language of the constitution relating to the fundamental rights and duties of citizens does not provide for the right to freedom of religion or belief. Furthermore, the constitution precludes non-Muslims from voting and holding public positions. The constitution does not prohibit discrimination based on religious preference. It excludes religion from a list of attributes for which people should not be discriminated against. The constitution also stipulates that the president must be Sunni.

Several articles in the constitution make the practice of Islam mandatory. Article 36 states it is imperative for parents and the state to provide children with primary and secondary education. Section (c) of that article states education shall strive to inculcate obedience to Islam and instill love for Islam. According to Forum 18, a foreign nonprofit group that promotes religious freedom, in practice this wording is understood to mean that parents must educate their children as Muslims, whether they are Muslim or not.

In 2008 then-president Mohamed Nasheed replaced the Supreme Council for Islamic Affairs with a new Ministry for Islamic Affairs. He appointed the head of the religiously conservative Adhaalath Party, Sheikh Abdul Majeed Abdul Bari, as the head of the new ministry. Although the Adhaalath Party left the ruling coalition, Bari remains as the minister.

The Ministry of Islamic Affairs mandates Islamic instructions 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 could not prepare sermons without government authorization. During the year, Minister Bari maintained that there was no reason to allow other religions in the country, since it is “a very unique country” where all citizens are Muslims.

In February 2009 then-president Nasheed inaugurated an independent council of religious scholars called a “fiqh (jurisprudence) academy.” The council consists of

17 religious scholars, all of whom were appointed by the Ministry of Islamic Affairs. The council's stated purpose is to debate religious matters, issue fatwas, and link with fiqh academies in other countries. The vice president of the academy stated one of the aims is to tackle religious divisions in the country.

The Protection of the Religious Unity Among Maldivians Act states both the government and the people must protect religious unity. Any statement or action contrary to this law is subject to criminal penalty; if a person is found guilty, sentences range from a fine to imprisonment or deportation for foreigners. In September the government published new religious unity regulations under this act. The new regulations 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 people from access to education or health services in the name of Islam, or demean the character or create hatred towards people of any other religion. Foreign scholars preaching in the country are asked not to talk against the country's social norms, or criticize its domestic policies and laws. The regulations also state, "it is illegal to propagate any other religion other than Islam." The penalty for contravening the Religious Unity Act regulations is two to five years in jail or house arrest, depending on the gravity of the offense.

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

Non-Muslim foreign residents are allowed to practice their religious beliefs only if they do so privately and do not encourage local citizens to participate.

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

Foreigners are not allowed to 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 remains against the law to offer alcohol to a local citizen.

The Human Rights Commission reported that there are female imams who, in that role, interact with women only.

Islamic instruction is a mandatory part of the school curriculum, and the government funds the salaries of instructors of Islam. Islamic instruction is only one component of the curriculum used in the majority of schools. Arabic-medium schools focus primarily on Islam. Those who seek further religious education obtain it in Saudi Arabia, Pakistan, or other Muslim-majority countries. Schools offer religious education for women.

Parents must raise their children to be Muslim in accordance with the law. Foreigners can raise their children to follow any religious teachings as long as they practice privately in their homes or hotel rooms and do not try to include local citizens in their worship.

Islamic proselytizing 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.

Proselytism of Muslims by adherents of other religions is also illegal, and the penalty is the same as for Islamic proselytism.

Islamic faith-based nongovernmental organizations (NGO) are not specifically precluded by law from operating.

The law prohibits public statements that are contrary to Islam. The penalty for contravening this law is two to five years' imprisonment or house arrest depending on the offense.

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

The constitution states the president and cabinet ministers must be Sunni Muslims. Furthermore, the constitution also states members of the People's Majlis (parliament) and the judiciary must be Sunni Muslims. Under the previous constitution, atoll chiefs had to be Muslims; however, they were not required to be Sunni. The same was also true of members of the Special People's Majlis.

Family law permits men and women to marry non-Muslim foreigners only if the foreigners convert to Islam before marriage.

The government prohibits the importation of icons and religious statues, but it 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 observes Islamic holy days as national holidays.

Government Practices

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

The government's interpretation of conversion by a Muslim to another religious group as a violation of Islamic law could result in punishment, including the loss of the convert's citizenship. 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. No one was convicted during the year on charges of "anti-Islamic" behavior, but the government detained several individuals for periods of several weeks before releasing or deporting them.

The government continued to control all religious matters. The Ministry of Islamic Affairs provided guidance on religious matters. The government set standards for imams to ensure they had adequate theological qualifications and to prevent extremist teachings from gaining ground. Minivan News reported that every Friday prayer since former president Nasheed's inauguration had been led by a religious figure from the Adhaalath Party. It stated that in this way, Islam was being controlled by one group at the expense of other prominent scholars. The same report observed that a new ministry newspaper published every Friday, called *Road to Steadfastness*, printed only articles written by Adhaalath Party members. According to government officials, the purpose was to maintain a moderate Islamic environment rather than an extremist one.

On December 10, International Human Rights Day, approximately 20 protesters from a group called Silent Solidarity held a silent protest for religious tolerance. The protestors issued a press release stating that their intention was to "make the Maldives and the international community aware of the rising religious intolerance in the Maldives, to condemn the constitutionally endorsed suppression of religious

freedom, and to denounce the increasing use being made of Islam as a tool of political power.” Men threw rocks at the protesters shortly after they gathered and threatened to kill them. Police responded and the attackers left the scene. Ismail “Khilath” Rasheed, a local reporter and blogger, was hospitalized with head injuries sustained in the protest. Police arrested Rasheed on December 11 and detained him for 24 days without charges while it investigated his role in the protest. They did not investigate the attackers. The government Telecommunications Authority blocked and banned Rasheed’s blog, Hilath.com, at the request of the Islamic ministry because of its alleged anti-Islamic content. The blog is known for promoting religious tolerance as well as discussing the blogger’s homosexuality. The chief justice of the Supreme Court called the December 10 protest for religious tolerance a “warning” of the country’s weakening Islamic faith and claimed the demonstration “shocked the nation.”

Authorities detained a teacher from India for 15 days before deporting him in October after colleagues reported finding Christian materials on a school computer. Police subsequently raided his home and, after finding a Bible and a rosary in his house, arrested the teacher. He was not charged with any crime prior to his deportation.

There were no places of worship for adherents of other religious groups. Speaking to Minivan News in October 2009, then State Minister for Islamic Affairs Sheikh Shaheem Ali Saeed stated that places of worship for other religions could not be built in the country. “We will not accept it under any circumstances. It cannot be done. All Maldivians are Muslims.” Shaheem 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 actively prohibited non-Muslim clergy and missionaries from proselytizing or conducting public worship services.

The Ministry of Islamic Affairs closed 210 mosques set aside for the exclusive use of women in 2009. Following the closure, government officials cited fiscal austerity and lack of use. Contacts at women’s NGOs noted the closures would restrict the community space for women’s religious activities.

During the year, the fiqh academy released two regulations, one on how to use the translation of the Qur’an published by the president’s office and the other banning public places of worship for people of faiths other than Islam. The council held regular meetings.

During the year, the Ministry of Islamic Affairs banned religious groups from holding Friday prayers at different times during the day than the official prayers. A member of one prayer group stated the fixed prayer time of 12:35 p.m. was not Islamic. Instead, the group prayed at the time of the first call to prayer, which depended on the lunar calendar. The ministry justified the ban, stating that separate prayer groups violated the Protection of Religious Unity Act that was intended to promote religious homogeneity.

The Kulliya College (Islamic College) administration banned a female student from classes on January 1 for wearing the full veil and covering her face. The student subsequently filed a lawsuit against the college and on January 28 a civil court judge issued a temporary injunction on the ban. The judge cited that the college administration had not referred to a law or regulation in banning fully veiled students from attending class. The civil court judge stated the student should have the freedom to attend classes until the case was concluded.

According to Minister of Islamic Affairs Abdul Bari, the election of then-president Nasheed's government provided a mandate to stop "un-Islamic" conduct. Public "discos" are banned and ministry officials patrol at night to close down any unauthorized gatherings. The Ministry of Islamic Affairs stated it believed the prevalence of "un-Islamic" practices within the country was due to a lack of religious awareness. During the 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.

During the year, the government continued to implement its program aimed at promoting religious awareness in schools; however, the program promoted only Islam rather than an awareness of other religions. Miadhu News reported the program aimed to create a disciplined youth who "love the religion and the country" and respected their parents.

Several monuments given to the country by other South Asian Association for Regional Cooperation (SAARC) countries during the November SAARC summit in Addu were defaced or stolen on the grounds that they were allegedly idolatrous. Islamic Minister Bari condemned the monuments. Opposition politicians pressured the government to remove the monuments and hailed the vandals as "national heroes." At the end of the year, the island court magistrate was

reviewing whether the government's acceptance of the gifts was in conflict with the Religious Unity Act.

Section III. Status of Societal Respect for Religious Freedom

There were some reports of societal abuses or 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 media personnel were unable to initiate discussions on Islamic values or basic human rights.

Forum 18 reported that many persons, especially secular individuals and non-Muslims, voiced concern over the restrictions on religion in anonymous weblogs. The organization stated fear of social ostracism and government punishment prevented this concern from being openly expressed.

There was public pressure for women to conform to a fairly narrow standard of appropriate dress. A values survey done by international NGO Asia Foundation in the country found that that 86 percent of women wore the veil during the year. Women who do not wear a head scarf covering their hair or their face were sometimes pressured by family members and friends to wear a veil. Similarly, during the year there were reports of harassment of women who did not wear a veil. Women who wore a full veil covering their faces also were subjected to public harassment and derogatory comments.

Taxi drivers were paid by imams and religious NGOs to play specific recorded sermons depending on the rider. Many women reported the taxi drivers played sermons on how women who do 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. Other sermons were played for other perceived non-Islamic practices.

Anti-Semitic rhetoric, led by the conservative Adhaalath Party and opposition political parties, increased during the year. In September an Israeli agricultural delegation cancelled a visit to the island of Filadhoo to assess the country's agricultural potential after the islanders warned that they would not let the delegation on the island. The deputy leader of the Adhaalath Party encouraged the

islanders to oppose the visit and alleged the delegation was composed of agents from the Israeli secret service. Local media also reported a petition circulated on the island claiming the Israeli delegation intended to preach Christianity on the island and conduct un-Islamic activities. The opposition Progressive Party of Maldives (PPM) issued a press statement thanking the islanders of Filadhoo for protesting against the Israeli agricultural delegation.

In September the government granted a provisional license to Israeli flag carrier El Al to begin operations in the country. Shortly after the license was granted, the conservative Adhaalath Party severed its coalition agreement with the government citing relations with Israel as one of the reasons for the split. During the parliamentary debate about permitting the Israeli airline to land in Maldives, the minister of Islamic affairs requested that parliament endorse a resolution forbidding the government to establish ties with Israel because he believes “Israel has committed several human rights violations.” The Adhaalath Party claimed that the government was “making secret deals with Israel in the name of the people and pursuing relations with Israel to an extent that threatens the nation’s security.”

High-level government officials reported harassment and accusations of being “Jew-lovers” following the publication of a pamphlet by an opposition political party accusing government officials of a wide range of anti-Islamic activities.

Section IV. U.S. Government Policy

The U.S. government does not maintain an embassy in the country. All engagement with the government and civil society was conducted by the U.S. Embassy in Colombo, Sri Lanka and officers traveled to the country frequently. The U.S. government encouraged the government to respect the right to religious freedom, especially the ability for non-Muslims to practice their own beliefs. The U.S. government also engaged the government on its efforts to promote tolerance and reduce extremist or derogatory rhetoric.