

# MALDIVES 2022 INTERNATIONAL RELIGIOUS FREEDOM REPORT

## Executive Summary

The constitution designates Islam as the state religion, requires citizens to be Muslim, and requires public office holders, including the President, to be followers of Sunni Islam. The constitution provides for limitations on rights and freedoms “to protect and maintain the tenets of Islam” and does not specifically establish religious freedom nor identify religion as a category on which discrimination is prohibited. The law states that both the government and the people must protect religious unity, and propagation of any religion other than Islam is a criminal offense. The law criminalizes “criticism of Islam” and speech “in a manner likely to cause religious segregation.” The penal code permits the administration of certain sharia punishments, such as flogging, stoning, and amputation of hands.

During the year, courts sentenced 12 persons to flogging, although none of the sentences were carried out. In August, the Criminal Court convicted Mohamed Rusthum Mujuthaba on charges of “criticizing Islam” and “producing or distributing obscene material” and sentenced him to three months and 18 days’ imprisonment. Mujuthaba was released, however, following sentencing, as he had already served six months in custody during the trial.

The Ministry of Islamic Affairs (MIA) continued to maintain control over all matters related to religion and religious belief, including requiring imams to use government-approved sermons in Friday services. The government continued to prohibit resident foreigners and foreign tourists from practicing any religion other than Islam in public. In September, the Maldives Police Service (MPS) arrested three Indian nationals for possession of an “idol” in Bilehdhoo island, but later deported them without charges.

On June 21, a group of men armed with flags and water bottles attacked participants at an event organized by the government and the Indian High Commission to mark the International Day of Yoga. In the days leading up to the event, religious nongovernmental organizations (NGOs) and scholars asked authorities to stop the event, saying it encouraged Hindu practices and thus was “irreligious.” The MPS arrested 21 men immediately following the incident.

NGOs continued to report that persistent online and in-person threats against individuals perceived to be insufficiently Muslim effectively foreclosed the possibility of meaningful discussion of religious issues in the country. NGOs continued to report instances of individuals deemed “secularists” or “apostates” receiving death threats and being cyberbullied. NGOs reported that authorities continued to fail to act against online death threats and hate speech against those perceived to be critical of Islam.

The U.S. Mission to Maldives is based in Colombo, Sri Lanka. U.S. officials regularly raise concerns with Maldivian counterparts about the harassment of individuals and organizations characterized as “irreligious” and have urged the government to formulate a long-term strategy to deal with online hate speech and harassment of NGOs and individuals, threats against individuals targeted as “secularists” or apostates,” and promote tolerance of religious traditions other than Sunni Islam.

## **Section I. Religious Demography**

The U.S. government estimates the total population at 390,000 (midyear 2022). In 2022, the Maldives government estimated the total population at 579,000 including 187,000 resident foreigners, mostly from Bangladesh, Sri Lanka, India, and Pakistan. While most citizens follow Sunni Islam (a requirement of citizenship), there are no reliable estimates of religious affiliations. Most foreign workers are likely Muslim, Hindu, Buddhist, Jewish, or Christian, although there are no reliable estimates available of the number of followers of different faiths among foreign workers.

## **Section II. Status of Government Respect for Religious Freedom**

### **Legal Framework**

The constitution states the country is a republic based on the principles of Islam and designates Islam as the state religion, which it defines in terms of Sunni teachings. It states citizens have a “duty” to preserve and protect Islam. According to the constitution, non-Muslims may not obtain citizenship.

The constitution states citizens are free to engage in activities “not expressly prohibited” by sharia, but it stipulates that the Peoples Majlis (Parliament) may pass laws limiting rights and freedoms “to protect and maintain the tenets of Islam.” In deciding whether a limitation on a right or freedom is constitutional, the constitution states a court must consider the extent to which the right or freedom “must be limited” to protect Islam.

The law criminalizes violence against individuals based on their religion or calls for violence against individuals based on their religion, with sentences of up to four years and two years, respectively.

The constitution makes no mention of freedom of religion. Although it contains a provision prohibiting discrimination “of any kind,” it does not list religion as a prohibited basis for discrimination. The constitution states individuals have a right to freedom of thought and expression but only in a manner “not contrary to the tenets of Islam.”

The law prohibits the conversion of a Muslim to another religion. By law, a violation may result in the loss of the convert’s citizenship, although a judge may impose a harsher punishment per sharia jurisprudence. Although the law does not stipulate such punishment, sharia jurisprudence is often understood by the public and religious scholars to provide for the death penalty in cases of conversion from Islam (i.e., apostasy), but the government has made no such statement.

The law states both the government and the people must protect “religious unity.” Any statement or action found to be contrary to this objective is subject to criminal penalty. Specific infractions include expressing religious beliefs other than Islam, disrupting religious unity, and having discussions or committing acts that promote religious differences. The list of infractions also includes delivering religious sermons in a way that infringes upon the independence and sovereignty of the country or limiting the rights of a specific section of society. According to the law, sentences for violators may include a fine of up to 20,000 rufiyaa (\$1,300), imprisonment for two to five years, or deportation for foreigners.

Laws criminalize speech breaking Islamic tenets, breaching social norms, or threatening national security. The penal code criminalizes “criticism of Islam.”

According to the law, a person commits the offense of “criticizing Islam” by “engaging in religious oration or criticism of Islam in public or in a public medium with the intent to cause disregard for Islam; producing, selling, or distributing material criticizing Islam; producing, selling, distributing, importing, disseminating, or possessing ‘idols of worship’; and/or attempting to disrupt the religious unity of the citizenry and conversing and acting in a manner likely to cause ‘religious segregation’; and/or insulting or spreading misinformation about Islam, Allah, the Prophet, or Sunnah through an act or expression in a public forum, using a communications device or otherwise, with the intention of undermining Islam.” Individuals convicted of these offenses are subject to imprisonment for up to one year.

The law criminalizes as a hate crime public allegations or portrayals of individuals as persons who violate or oppose Islam based on an act they carried out or a belief they expressed, without having violated an accepted principle of Sunni Islam and while the issue mentioned is known to have different interpretations among Islamic scholars. The law also criminalizes public allegations or portrayals of a Muslim as a non-Muslim or an apostate when the accused has not carried out an act of apostasy, uttered an expression of apostasy, or violated Islam. Individuals convicted of these offenses are subject to imprisonment for up to one year. The law states these offenses do not apply to public statements detailing Islamic rulings as provided in the Quran or Sunnah.

By law, no one may deliver sermons or explain religious principles in public without obtaining a license from the MIA. Imams may not prepare Friday sermons without government authorization. To obtain a license to preach, the law specifies an individual must be a Sunni Muslim, have a degree in religious studies from a university recognized by the government, and not have been convicted of a crime in sharia court. The law also sets educational standards for imams to ensure they have theological qualifications the government considers adequate. Government regulations stipulate the requirements for preaching and contain general principles for the delivery of religious sermons. The regulations prohibit making statements in sermons that may be interpreted as racial or gender discrimination, discouraging access to education or health services in the name of Islam, or demeaning the character of and/or creating hatred toward persons of any other religion. The law provides for a punishment of two to five years in prison or house arrest for violations of these provisions. Anyone who

assists in such a violation is subject to imprisonment or house arrest for two to four years and a fine of 5,000 to 20,000 rufiyaa (\$330 to \$1,300). The law requires foreign scholars, imams and preachers, to ensure their sermons conform to the country's norms, traditions, culture, and social etiquette.

Propagation of any religion other than Islam is a criminal offense, punishable by two to five years in prison or house arrest. Proselytizing to change denominations within Islam is also illegal and carries the same penalty. If the offender is a foreigner, authorities may revoke the individual's license to preach in the country (if they have one) and deport the individual.

By law, mosques and prayer houses are under the control of the MIA. The law prohibits the establishment of places of worship for non-Islamic religious groups.

The law states, "Non-Muslims living in or visiting the country are prohibited from openly expressing their religious beliefs, holding public congregations to conduct religious activities, or involving Maldivians in such activities." By law, those expressing religious beliefs other than Islam face imprisonment or house arrest of up to five years, fines ranging from 5,000 to 20,000 rufiyaa (\$330 to \$1,300), and deportation.

By law, a female citizen may not marry a non-Muslim foreigner unless he first converts to Islam. A male citizen may marry a non-Muslim foreigner if the foreigner is Christian or Jewish; other foreigners must convert to Islam prior to marriage.

The law prohibits importation of any items the MIA deems contrary to Islam, including religious literature, religious statues, alcohol, pork products, and pornographic materials. Penalties for contravention of the law range from imprisonment for three months to three years. It is against the law to offer alcohol to a citizen, although government regulations permit the sale of alcoholic beverages to foreigners on resort islands. Individuals must request permission from the Ministry of Economic Development to import restricted goods.

The constitution states that education shall strive to "inculcate obedience to Islam" and "instill love for Islam." In accordance with the law, the MIA regulates Islamic instruction in schools, while the Ministry of Education funds salaries of

religious instructors in schools. By law, educators who teach Islamic studies must have a degree from a university or teaching center accredited by the Maldives Qualification Authority or other religious qualification recognized by the government. By law, foreigners who wish to teach Islamic studies may receive authorization to do so only if they subscribe to Sunni Islam. Islam is a compulsory subject for all primary and secondary school students. The curriculum incorporates Islam into all subject areas at all levels of education, specifying eight core competencies underpinned by Islamic values, principles, and practices. In practice, foreign, non-Muslim children are allowed to opt out of studying Islam.

The constitution states Islam forms a basis of the law, and “no law contrary to any tenet of Islam shall be enacted.” The constitution specifies judges must apply sharia in deciding matters not addressed by the constitution or by law, but sharia is not considered applicable to non-Muslims.

The penal code prescribes flogging for unlawful sexual intercourse (adultery, fornication, and same-sex relations), incest, false accusation of unlawful sexual intercourse, failing to fast during Ramadan, or (for Maldivian citizens only) consuming pork or alcohol. In cases of certain offenses which have been proven “beyond all doubt” judges can also impose penalties according to sharia. Other sharia penalties are not specified, but the code grants judges the discretion to impose sharia penalties for certain offenses under sharia – including murder, apostasy, assault, theft, homosexual acts, drinking alcohol, and property damage – if proven beyond all doubt. The penal code requires that all appeal processes be exhausted prior to the administration of sharia punishments specific to these offenses, including stoning, amputation of hands, and similar punishments.

The Supreme Council of Fatwa has the authority to issue fatwas, or legal opinions, on religious matters. The council functions under the MIA and comprises five members appointed to five-year terms. The President names three members directly and chooses a fourth from the faculty of either the Maldives National University or the Islamic University of Maldives. The Minister of Islamic Affairs recommends the fifth member, subject to the President’s approval.

The constitution stipulates the President, cabinet ministers, members of Parliament, and judges must be Sunni Muslims.

The country is a party to the International Covenant on Civil and Political Rights (ICCPR), with a reservation stating the government's application of the principles set out in ICCPR Article 18, which relates to religious freedom, shall be "without prejudice to the Constitution of the Republic."

## **Government Practices**

At year's end, trial hearings against eight of the nine individuals charged under the Prevention of Terrorism Act for the May 2021 attack on Speaker of Parliament Mohamed Nasheed continued. The government labeled the suspected perpetrators Islamic extremists and ISIS supporters who targeted Nasheed because they believed he was an "infidel" who publicly mocked and insulted Islam.

The government reported that courts sentenced 12 adults to flogging as of October, but that none of the sentences were carried out pending completion of new regulations by the Ministry of Home Affairs on how to implement flogging sentences. The ministry did not set a timeline for when these regulations would be completed.

At year's end, the MPS had made no arrests and taken no further action in an investigation that began in 2021 into social media posts calling ruling Maldivian Democratic Party Member of Parliament Mohamed Waheed an apostate. The posts, including death threats, followed a Facebook post by religious scholar Sheikh Adam Nishan bin Adam al-Maaldheefee of a video clip of Waheed speaking at a party rally criticizing the political opposition for advocating the death penalty when they were in power during the previous administration. Adam said Waheed was criticizing sharia penalties and opposing sharia.

At year's end, trial hearings continued against five of the six men who were charged in 2020 with supporting a terrorist organization, promoting materials supporting terrorist organizations, and producing or distributing obscene materials under the Anti-Terrorism Act and penal code. The Criminal Court dismissed the charges against the sixth suspect. All six were released from custody in September 2020 and remained free through 2022. The group was led by Maldivian ISIS leader and recruiter Mohamed Ameen, who was arrested in 2019 and remained in custody with his trial underway at year's end.

In August, the Criminal Court convicted Mohamed Rusthum Mujuthaba on charges of “criticizing Islam” and “producing or distributing obscene material,” and sentenced him to three months and 18 days’ imprisonment. Mujuthaba was released from custody following sentencing, as he had already served six months in custody during the trial. The charges stemmed from social media posts by Mujuthaba in 2019 that had been deemed by the government to be critical of Islam. Police officials reported they continued to investigate death threats made against him in 2019 but had not made any arrests or filed charges as of at year’s end. Mujuthaba had been previously convicted on separate charges of obstructing justice in 2020 and served one year in prison.

At year’s end, the government had not taken action in Parliament’s investigation, begun in September 2021, into statements made by Dhivehi Rayyithunge Party Member of Parliament Abdulla Jabir, who called for greater freedom of religion in the country during a session of Parliament.

During the year, the government did not take further action on an investigation launched in 2019 against employees of the NGO Maldivian Democracy Network (MDN), which was deregistered in 2019 because the group’s 2015 *Preliminary Report on Radicalization in Maldives* contained content that mocked Islam and the Prophet Muhammad, according to the MPS and the Ministry of Youth, Sports, and Community Empowerment. The MPS reported that the investigation remained open at year’s end.

NGOs continued to report that the open investigation against MDN and the failure of the government to publicly refute statements by popular religious figures characterizing NGOs as “irreligious” prevented them from expressing solidarity or publicly supporting those subjected to harassment in cases of similar action against their organizations.

In January, the Criminal Court convicted two and acquitted four of the six men charged with the 2017 killing of blogger Yameen Rasheed, whose writing centered around political, social, and economic issues and included critiques of violent extremism. Rasheed’s family expressed serious concerns over the prosecutions and trial, stating that the four were acquitted because they had been charged with murder rather than accessory to murder. The family also said that crucial pieces of forensic evidence were not submitted, that severe and unreasonable



delaying tactics were used by the defense, that no one was arrested or investigated for financing or ordering the murder, that local clerics who may have inspired the attack and created a climate of hatred were not investigated, and that police carried out no investigation into reports by four key witnesses who said they refused to testify because of threats they had received.

Victims of online harassment and threats continued to say they believed themselves vulnerable because of the past lack of police responsiveness to their complaints and because similar incidents of online harassment had preceded the 2014 disappearance and killing of journalist Ahmed Rilwan and the 2017 killing of Rasheed. As of November, MPS continued to investigate four cases of online harassment initiated in 2021. MPS did not initiate new investigations of online harassment during the year.

The Communications Authority of Maldives (CAM) continued to maintain an unpublished blacklist of websites containing material it deemed un-Islamic or anti-Islamic. CAM did not proactively monitor internet content but instead relied on requests from ministries and other government agencies to block websites violating laws against criticism or defamation of Islam. During the year, the MPS initiated two investigations involving individual “criticism of Islam in the form of hate speech.” All investigations remained ongoing at year’s end.

During the year, the government blocked three websites, based on a 2021 Criminal Court order for all local internet service providers to block access to websites, social media pages, YouTube channels, and online applications that targeted Maldivians “with the intention of spreading religions other than Islam.” The order was issued at the request of the MPS following reports that Christian advertising in the local Dhivehi language directed at children had appeared on Facebook, YouTube, and some gaming sites. MPS reported they had identified one additional YouTube channel which could be blocked under this court order, but access to this channel had not been blocked as of November.

The MIA continued to maintain control over all matters related to religion and religious belief, including requiring imams to use government-approved sermons in Friday services. The MIA suspended Mohamed Rasheed, an imam in Addu City, from delivering sermons in Friday services or leading prayers for a period of three months after he delivered a Friday sermon in the Addu City dialect rather than the

dialect in which the sermon was initially drafted by the MIA. The government maintained its ownership and control of all mosques, including their maintenance and funding. The government continued to permit private donors to fund mosques as well.

According to the MIA, foreign residents such as teachers, laborers, and tourists, including on resort islands, remained free to worship in their own residences, but congregating in public for non-Islamic prayer remained illegal, as was encouraging local citizens to participate in such activities. In September, the MPS arrested three Indian nationals for possession of an “idol” in Bilehdhoo island. The arrests came after photos of the three men holding a home-made Hindu idol while walking on the streets of Bilehdhoo were posted on social media. Immediately prior to the arrests, more videos and photos were posted on social media showing police officers and local island residents conducting a search of the men’s belongings inside their residence. Authorities deported the three men, without charging them, on September 15.

Customs authorities said the MIA continued to permit the importation of religious literature, such as Bibles, for personal use. The MIA also continued to allow some religious literature to be imported for scholarly research. Customs officials reported six cases involving the import of non-Islamic religious idols, books, and Christmas decorations during the year. Authorities confiscated the items in all cases and did not take further action.

According to the international Christian NGO Open Doors, all politicians in the country supported keeping it 100 percent Muslim, leaving effectively no space for any alternative. It continued to report that conversion to Christianity could easily result in being reported to Muslim leaders or authorities. Expatriate Christians, most of whom worked in the tourist sector and came from India and Sri Lanka, reported being “closely watched.”

The MIA continued to conduct what it termed “awareness programs” through radio and television broadcasts in the capital Malé and on various islands to give citizens information on Islam, and it continued to provide assistance and counseling to foreigners seeking to convert to Islam. The ministry, in partnership with religious NGOs, continued to send imams to outer atolls to conduct workshops for students, youth, and others in schools and government buildings

for the stated purpose of strengthening the islanders' understanding and acceptance of Islam.

The National Institute of Education continued to implement a curriculum for public and private schools that incorporated Islam into all subject areas. The MIA continued to permit foreign students to opt out of Islamic instruction as a standalone subject. The MIA continued to permit foreigners to teach their own children religious content of their choice, but only in private.

### **Section III. Status of Societal Respect for Religious Freedom**

In June, "Ilmuveringe Gulhun" (Scholar's Alliance) asked the MIA to stop a planned event, organized by the Ministry of Youth, Sports, and Community Engagement (MYSCE) in partnership with the Indian High Commission and the Indian Cultural Center, to mark the International Day of Yoga, arguing that it promoted Hindu practices. The religious NGO Jamiyyatul Salaf also submitted a letter to MYSCE asking that the event be cancelled, as it was "irreligious". On June 21, a group of men armed with flags and water bottles disrupted the event and attacked program participants. MPS arrested 21 men immediately following the incident, but none remained in custody as of October. Two days after the incident, Youth Minister Ahmed Mahloof announced he had received an anonymous text message threatening to kill him and his family over his involvement in organizing the event. In October, the government charged 18 individuals under the Prevention of Terrorism Act, including two religious sheikhs and a council member of the Progressive Party of Maldives, the main opposition party in the country. The 18 were arrested specifically because of the June 21, incident. All were charged with encouraging and aiding terrorism, as well as possessing documents indicating support for a terrorist organization. Some individuals were charged with other offenses, including assault and battery, attempted battery, obstruction of justice and interfering with police.

NGOs continued to state that persistent online and in-person threats against individuals perceived to be insufficiently Muslim effectively foreclosed the possibility of meaningful discussion on religious issues in the country. NGOs reported that the government continued to fail to take action against online death threats and attacks against persons perceived to be critical of Islam. Threats included calls to implement sharia penalties for those who criticize Islam

and references to people perceived as criticizing Islam as being “western agents.” NGOs also reported that fear of retribution and a lack of confidence that authorities would take action prevented persons from filing complaints of online harassment with police.

NGOs continued to report instances of individuals deemed “secularists” or “apostates” receiving death threats and being cyberbullied. NGOs also reported continued community pressure on women to wear hijabs and verbal harassment of women who chose not to do so.

NGO and journalist sources stated that media outlets practiced self-censorship on matters related to Islam due to fears of harassment for being labeled “anti-Islamic.”

#### **Section IV. U.S. Government Policy and Engagement**

U.S. officials regularly raise concerns with Maldivian counterparts about the harassment of individuals and organizations characterized as “irreligious” and have urged the government to formulate a long-term strategy to deal with online hate speech and harassment of NGOs and individuals, threats against individuals targeted as “secularists” or apostates,” and promote tolerance of religious traditions other than Sunni Islam.