

Maldives: Freedom of Religion

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Maldives is a state party to the International Covenant on Civil and Political Rights (ICCPR), with a reservation on Article 18, according to which religious freedom shall be “without prejudice to the Constitution of the Republic of Maldives.”

Violations of one’s *forum internum*

The Constitution of Maldives designates Sunni Islam as state religion and requires every Maldivian citizen to be Muslim (Articles 9(d) and 10). To be eligible for public office one must be a Sunni Muslim. The Constitution does not make any mention of Freedom of Religion or Belief, and Article 17 of the Constitution does not prescribe “religion” as a ground for non-discrimination.

The government does not allow any other religion than Sunni Islam in the country. Abandoning Islam (apostasy) for another religion, or no religion, is illegal and may result in loss of citizenship and harsh punishments based on Sharia judgements, which may include the death sentence.

Although some specific Sharia penalties are not prescribed in the Criminal Code of Maldives, judges hold discretion to impose Sharia penalties on hudud crimes, which, according to Sharia include apostasy, transgression, theft, highway robbery, adultery, slander and drinking alcohol. According to section 1205 of the Criminal Code of Maldives on hudud crimes: “if an offender is found guilty of committing an offense for which punishments are predetermined in the Holy Quran, that person shall be punished according to Islamic Sharia and as prescribed by this Act and the Holy Quran.” Sharia jurisprudence is often understood to provide for the death penalty in cases of apostasy.

According to a [policy paper](#) published by the Ministry of Islamic Affairs in April 2018 aimed at reinforcing the legal framework on apostasy and “mockery” of Islam, “apostates” (individuals who choose to leave Islam) should be “removed from society for a certain period set by law” and be deprived of all state benefits, including state-provided health insurance, land rights, housing subsidies, and low-interest loans. According to

international human rights law, freedom to have or to adopt one’s religion or belief of their choice is an absolute right and no limitations are allowed.

Recommendation 1. Withdraw reservation to Article 18 of the International Covenant on Civil and Political Rights and cease to restrict one’s freedom to hold a religion or belief of their choice.

Recommendation 2. Ensure the respect of the right to have or adopt one’s religion or belief of their choice and cease to consider leaving Islam as a criminal offence.

Violations of the right to manifest one’s religion or belief

“Criticizing Islam” is a criminal offense in Maldives, which includes engaging in criticism of Islam in public; the production, sale and distribution of material criticizing Islam and attempting to disrupt the religious unity of the citizens of Maldives. The Criminal Code does not specify what is intended by “criticizing.”

Whereas all Maldivian citizens are considered as Muslims and do not enjoy their right to change one’s religion, Non-Muslim expatriates are not allowed to hold any religious activities in public, including weddings. Expatriates are allowed to practice their religion only in private. The law prescribes that non-Muslims living in Maldives must not openly express their religious beliefs, hold public religious meetings, propagate any religion other than Islam, and proselytize. The law prescribes that those expressing religious beliefs other than Islam face imprisonment of up to five years or house arrest, fines from 5,000 to 20,000 rufiyaa (\$320 to \$1,300), and deportation. Encouraging Maldivians to participate to any non-Islamic religious activity is illegal.

Recommendation 3. Repeal Section 617 of the Criminal Code on “criticizing Islam.”

Recommendation 4. Repeal all laws criminalizing the expression of religious beliefs other than Islam.

Recommendation 5. Ensure full freedom to manifest one’s religion or belief in community, to gather and have places of worship for everyone.