

Maldives : liberté de religion

Recherche rapide de l'analyse-pays de l'OSAR

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1 Introduction

Les questions suivantes ont été tirées d'une demande adressée à l'analyse-pays de l'OSAR :

- Quelles bases légales régissent la liberté de religion aux Maldives ?
- Est-ce punissable de se détourner de l'islam ?
- Quelles religions y a-t-il aux Maldives et comment sont-elles tolérées par la société ?
- Y a-t-il des cas documentés de personnes qui ont publiquement renié l'islam ?
- Quelle est la situation pour les chrétien-ne-s ?

Les informations reposent sur une recherche limitée dans le temps (recherche rapide) dans les documents accessibles au public actuellement à disposition de l'OSAR, ainsi que sur les indications fournies par des personnes de contact bien renseignées.

2 Liberté de religion et d'expression

2.1 Cadre légal

L'islam sunnite est la seule religion d'État. D'après la Constitution, les Maldives sont une République basée sur les principes de l'islam. La religion étatique est l'islam sunnite (USDOS, 15 août 2017). Les citoyen-ne-s ont le devoir de perpétuer et de protéger la religion d'État. D'après la Constitution, les personnes non musulmanes n'obtiennent pas la nationalité maldivienne. Seuls les citoyen-ne-s musulmans sunnites peuvent participer aux élections (*Freedom House*, janvier 2016).

Pas de mention de la liberté de religion dans la Constitution. La liberté de religion ou d'expression ne sont pas évoquées dans la Constitution maldivienne (USDOS, août 2017). Celle-ci interdit certes « toute forme » de discrimination, mais la religion n'y figure pas explicitement comme motif de discrimination. D'après la Constitution, chacun-e a droit à la liberté de pensée et à la liberté de parole, dans le respect des « principes de l'islam » (USDOS, août 2017).

Jusqu'à cinq ans d'emprisonnement pour atteinte à l'« unité religieuse ». D'après les dispositions légales du «*Religious Unity Act*» de 1994, il incombe aussi bien au gouvernement qu'à la population de protéger l'unité religieuse (USDOS, août 2017). Toute affirmation ou tout agissement contrevenant à ce devoir est considéré comme un crime. Cela inclut les discussions ou les actions visant à promouvoir des différences religieuses, ainsi que les prêches qui bafouent l'indépendance et la souveraineté du pays ou qui restreignent les droits d'un groupe social spécifique. Tout contrevenant à cette loi peut être puni par une amende allant jusqu'à 20'000 rufiyaa (environ 1255 francs suisses, cours du change du 31

mai 2018) ou par une peine privative de liberté de deux à cinq ans. Les étrangères et les étrangers peuvent être renvoyés du pays (USDOS, août 2017).

La conversion de l'islam à une autre religion et l'activité missionnaire sont interdites, sous peine de retrait de la citoyenneté. La loi interdit aux musulman-e-s de se convertir à une autre religion (USDOS, août 2017). Le non-respect de cette clause est puni par le retrait de la citoyenneté. D'après la jurisprudence de la *Shari'a*, les juges peuvent même infliger une peine plus dure. La propagation d'une religion non-islamique est considérée comme un délit. La conversion à une autre confession au sein de l'islam et l'activité missionnaire d'adeptes d'autres religions auprès de musulman-ne-s sont illégales et punies par une peine de prison allant de deux à cinq ans selon l'ampleur de l'infraction ou par un placement en résidence surveillée (USDOS, août 2017).

Les lieux de culte sont contrôlés par le Ministère des Affaires islamiques. Les lieux de culte musulmans sont placés sous le contrôle du Ministère des Affaires islamiques (MAI) (USDOS, août 2017). La loi maldivienne interdit aux groupes religieux non-musulmans de construire des églises.

Adoption en août 2016 d'une nouvelle loi sur la diffamation et la liberté d'expression restreignant fortement la liberté d'expression. Le 9 août 2016, le Parlement a adopté une nouvelle loi anti-diffamation («*Anti-Defamation and Freedom of Expression*») (USDOS, 15 août 2017) interdisant les propos qui contreviennent aux principes islamiques, qui brisent les normes sociales ou qui menacent la sécurité nationale. D'après la nouvelle loi, la liberté d'expression est un droit fondamental « tant qu'elle concorde avec les principes de l'islam ». Les prêches ou les efforts déployés pour enseigner l'islam doivent être conformes aux normes du « *Religious Unity Act* » de 1994. Si le contenu d'une émission de radio ou de télévision bafoue les dispositions, le gouvernement peut suspendre les transmissions en direct et retirer la licence des émetteurs. Les publications et les sites internet contenant des commentaires « diffamatoires » peuvent également faire l'objet d'un retrait de licence (USDOS, 15 août 2017). Le rapporteur spécial des Nations unies sur la liberté d'opinion et d'expression *David Kaye* a condamné la loi anti-diffamation susmentionnée (appelée aussi « *Protection of Reputation and Good Name and Freedom of Expression Bill* ») (OHCHR, août 2016), estimant qu'elle restreint et met en danger le droit à la liberté de parole. Selon lui, il est notamment préoccupant de constater que la religion est utilisée comme prétexte pour restreindre la liberté d'expression (OHCHR, août 2016).

Des amendes et des peines d'emprisonnement pour diffamation ancrées dans la nouvelle loi. D'après la loi adoptée en août 2016, la diffamation et l'irrespect des normes sociales sont sanctionnés par une amende comprise entre 50'000 et deux millions de rufiyaa (entre 3136 et 125'460 francs suisses environ, cours du change du 31 mai 2018) (USDOS, août 2017). Si quelqu'un ne peut pas s'acquitter de cette peine pécuniaire, une peine d'emprisonnement de trois à six mois peut être prononcée. Des journaux ou des bureaux de presse peuvent être fermés en cas de non-paiement de l'amende. D'après la nouvelle loi, quiconque « rompt avec les principes de l'islam » encourt la même peine que celle prévue dans l'actuel Code pénal pour toute critique à l'égard de l'islam, soit jusqu'à un an de prison. Cette clause concerne les personnes qui discréditent publiquement l'islam, qui produisent, vendent ou distribuent du matériel critique à l'égard de l'islam, qui propagent des « idoles », qui « menacent l'unité religieuse des citoyen-ne-s » et/ou qui causent une « ségrégation religieuse » (USDOS, août 2017).

La Shari'a s'applique aux cas qui ne sont pas réglés par la loi. Selon la Constitution, la *Shari'a* ou loi islamique s'applique aux cas qui ne sont réglés ni dans la Constitution ni dans la loi (USDOS, août 2017). Pour quelques délits tels que la luxure, le Code pénal requiert la flagellation. Pour les crimes qui passent pour *Hadd* (crime capital) ou *Qisas* (représailles) – meurtre, attaques, vol, rapports homosexuels, adultère, dommages matériels, consommation d'alcool ou apostasie – les juges peuvent interpréter les peines prévues par la *Shari'a* selon leur libre appréciation (voir aussi *UN News*, avril 2014).

Réintroduction de la peine de mort. Des enfants dès l'âge de sept ans peuvent être condamnés à mort pour apostasie. Selon AI (février 2018), le Président des Maldives a annoncé la réintroduction de la peine de mort pour la fin septembre 2018. Il n'y avait plus eu d'exécution depuis plus de 60 ans. La nouvelle ordonnance prescrit la peine de mort en cas de tuerie intentionnelle, dans certains cas même en cas de blasphème et d'apostasie (*Organisation Mondiale Contre la Torture OMCT*, janvier 2018) et ce, même si l'inculpé-e est mineur-e – dans ce cas, la peine est infligée à sa majorité (*UN News*, avril 2014). D'après AI (février 2018), au moins cinq des 17 détenus condamnés à mort étaient mineurs au moment des faits. Aux Maldives, la responsabilité pénale est fixée à dix ans, mais des enfants dès l'âge de sept ans peuvent être tenus pour responsables en cas de crimes *Hadd* (*UN News*, avril 2014). La porte-parole de l'OHCHR *Ravina Shamdasani* constate que des enfants peuvent être condamnés à mort dès l'âge de sept ans en vertu de la nouvelle ordonnance (*UN News*, avril 2014).

2.2 Rôle de la religion dans la société maldivienne

Pas d'estimation fiable sur l'appartenance religieuse aux Maldives. La religion de la population indigène est officiellement l'islam et la grande majorité semble, d'après l'USDOS (août 2017), appartenir à l'islam sunnite. Il n'y a toutefois pas d'estimation fiable sur l'appartenance religieuse factuelle de la population. D'après l'USDOS, les travailleurs étrangers sont majoritairement musulmans, bouddhistes, hindouistes et chrétiens. Selon une étude de l'institut de recherche *Royal Islamic Strategic Research Centre* basé en Jordanie, le pays était musulman à 99.41 pour cent en 2010 (*Royal Islamic Strategic Research Centre*, 28 septembre 2010). L'initiative chrétienne *Joshua Project* qui documente dans le monde entier les groupes ethniques dénotant la plus faible proportion de chrétien-ne-s et qui mène une activité missionnaire auprès de ces « *unreached people groups* » estime à 98.2 pour cent la proportion d'adeptes de l'islam aux Maldives (sans date, accès le 1^{er} mars 2018). Voici comment la même source estime la répartition des autres religions : hindouisme un pour cent, bouddhisme 0.7 pour cent, autres petites communautés religieuses 0.1 pour cent et chrétiens proches du zéro pour cent. L'organisation chrétienne *Open Doors* part du principe qu'il y a quelques milliers de chrétien-ne-s aux Maldives (sans date, accès le 28 février 2018).

L'athéisme est encore plus méprisé que la conversion à une autre religion. D'après les données d'un *collaborateur de l'International Humanist and Ethical Union* (IHEU) (renseignement fourni par courriel le 9 mars 2018 à l'OSAR), l'athéisme tombe dans la catégorie de l'apostasie. La personne de contact estime qu'il est jugé aux Maldives plus « choquant » et plus « méprisable » que la conversion à une autre religion telle que le christianisme.

Islamisation progressive et avancée du fondamentalisme. Selon les indications faites à l'USDOS par plusieurs ONG (août 2017), on observe une poussée du radicalisme religieux et

du fondamentalisme aux Maldives. L'organisation de défense des droits humains *Human Rights Without Frontiers International* (HRWF) signale aussi en date du 21 juillet 2017 une expansion de l'islam radical. Les Maldives seraient en outre une source de recrutement pour l'organisation « État Islamique » (EI/Daesh) : selon les indications du gouvernement, au moins 49 Maldivien-ne-s se sont rendus en Syrie pour lutter aux côtés de l'EI ; une étude de 2015 a même parlé de 200 personnes (*New York Times*, 23 avril 2017). Le gouvernement serait « extrêmement préoccupé » de ces chiffres élevés (*Straits Times*, mars 2016). À titre de comparaison : en juillet 2017, la population maldivienne rassemblait environ 392'700 personnes (CIA, 24 avril 2018).

Attaques contre des personnes critiques à l'égard de l'islam. Comme établi ci-après en référence à plusieurs sources, des personnes laïques ou critiques à l'égard de l'islam ont été régulièrement la cible d'attaques violentes et de menaces proférées par des inconnus ces dernières années aux Maldives.

3 Situation pour les personnes critiques à l'égard de l'islam

Danger croissant à défendre des opinions laïques en public. Selon *Freedom House* (janvier 2016), la montée en puissance des courants conservateurs de l'islam observée ces dernières années a entraîné des interprétations plus strictes des lois, ainsi qu'un durcissement de la rhétorique et même des attaques physiques contre les adeptes d'autres religions ou d'un islam tolérant. Selon les indications de *Luke Heslop*, experte de l'Asie du Sud-Est à la *London School of Economics* (renseignement fourni par courriel le 13 mars 2018 à l'OSAR), il est de plus en plus dangereux de s'engager politiquement en faveur de la laïcité ou de défendre publiquement des opinions laïques aux Maldives.

3.1 Répression et poursuite pénale des acteurs étatiques

Des représentants officiels de l'État déclarent n'accepter aucune autre religion. Lors d'un rassemblement politique du Parti progressiste des Maldives en janvier 2017, le Président maldivien *Abdulla Yameen* a déclaré qu'il n'acceptait pas d'autre religion que l'islam aux Maldives (USDOS, 15 août 2017). Le Ministre de la défense et de la sécurité nationale *Adam Shareef Umar* a également déclaré en janvier 2017 qu'il fallait trouver des moyens pour maintenir les Maldives en tant qu'État entièrement islamique (USDOS, 15 août 2017).

Suite à l'assassinat du blogueur et défenseur des droits humains *Yameen Rasheed* en avril 2017 (voir paragraphe 3.2), le Président maldivien *Abdulla Yameen* a condamné ses activités comme une « raillerie de l'islam » et affirmé à ce propos : « Voilà ce qui se passe » (« *this is how it happens* ») (USDOS, 20 avril 2018). Des militant-e-s interprètent cette affirmation comme une justification de la mort de *Yameen Rasheed* (USDOS, avril 2018). Le gouvernement a certes condamné la tentative de meurtre du blogueur *Ismail « Hilath » Rasheed* en juin 2012, mais le Ministre des ressources humaines, de la jeunesse et du sport *Mohamed 'Mundhu' Shareef* a déclaré que *Hilath* aurait dû savoir qu'il deviendrait la cible de quelques extrémistes (*Minivan News*, 2 juillet 2012).

Poursuite pénale in absentia de Maldivien-ne-s exilés pour cause de laïcité ou de renégation de l'islam. D'après le journal indépendant *Maldives Independent* (anciennement *Minivan News*), trois blogueurs « libéraux » domiciliés à l'étranger ont été convoqués par la police maldivienne en mai 2017 (*Maldives Independent*, 29 mai 2017 ; voir aussi *Muju Naeem*, 29 mai 2017). Ils ont été menacés de poursuite pénale en leur absence s'ils ne revenaient pas aux Maldives dans les deux semaines. Il s'agissait de *Dr. Azra Naseem*, *Muzaffar « Muju » Naeem* et *Hani Amir* (à propos de *Muzaffar « Muju » Naeem* : voir paragraphe 3.2). *Naseem* et *Naeem* sont des blogueurs qui critiquent le radicalisme religieux. Quant à *Amir*, c'est un artiste, doublé d'un scientifique actif dans le domaine de l'environnement. Les reproches adressés à ces trois personnes n'ont pas été développés. Selon *Muzaffar « Muju » Naeem*, cette exigence s'inscrirait dans le cadre d'une « chasses aux sorcières » contre les tenants de la laïcité et les Maldivien-ne-s sans religion. *Hani Amir* est aussi convaincu que ces trois personnes ont été traînées en justice en raison de leurs opinions laïques (*Maldives Independent*, 29 mai 2017).

Exemple d'une personne qui s'est publiquement déclarée non-musulmane et qui a été « rééduquée » à l'islam en prison : en mai 2010, dans le cadre d'une session publique de questions-réponses avec le prédicateur islamique *Dr. Zakir Naik*, *Mohamed Nazim* s'est déclaré « maldivien, mais pas musulman » (HRWF, juillet 2017). Selon *Human Rights Without Frontiers International* (HRWF, juillet 2017), il a été le premier citoyen maldivien à se positionner ainsi publiquement. L'ONG locale *Islamic Foundation* a exigé qu'il soit puni par la peine de mort et le retrait de sa citoyenneté s'il refusait de se repentir et de revenir à l'islam. D'après HRWF, *Mohamed Nazim* a été incarcéré cinq jours à la prison de *Dhoo-nidhoo* située sur une île près de la capitale Malé. Il y aurait reçu des « conseils » de savants religieux qui l'auraient finalement ramené à l'islam (HRWF, juillet 2017). La prison de *Dhoo-nidhoo* est tristement connue pour ses pratiques de torture (*Muju Naeem*, novembre 2017). D'après l'USDOS (novembre 2010), c'est le Ministère des Affaires islamiques (MIA) qui aurait envoyé les deux savants à *Nazim* sur la base des rapports. Selon les dires du MIA, *Nazim* serait revenu à l'islam de son plein gré (USDOS, novembre 2010). Mais l'expert des Maldives *Xavier Romero-Frias*, qui a longtemps vécu aux Maldives et mené des recherches sur la culture locale, soutient que *Nazim* n'est pas revenu à l'islam par conviction (renseignement transmis par courriel à l'OSAR le 11 mars 2018). *Luke Heslop*, expert de l'Asie du Sud-Est à la *London School of Economics*, juge les circonstances de la « conversion » de *Nazim* peu claires (renseignement fourni par courriel le 13 mars 2018 à l'OSAR).

Des manifestations sont réprimées, des manifestant-e-s arrêtés et/ou licenciés. D'après AI (février 2018), des forces spéciales de la police ont réprimé une manifestation organisée le 8 août 2017 à l'occasion du troisième anniversaire de la disparition d'*Ahmed Rilwan*, un militant critique à l'égard de l'islam, et neuf personnes ont été arrêtées. Quelques jours plus tard, le neveu d'*Ahmed Rilwan* et la sœur de *Yameen Rasheed* ont été licenciés de leurs postes d'assistants civils de la police maldivienne, pour avoir participé à la manifestation (AI, février 2018).

Yameen Rasheed a été poignardé à son domicile en avril 2017. Le 29 juin 2015, il avait rapporté sur son blog *The Daily Panic* la manière dont il avait été arrêté avec 200 autres personnes lors d'une manifestation contre le gouvernement organisée le 1^{er} mai 2015 à la capitale Malé. Il a déclaré avoir été retenu prisonnier 21 jours sans procès, dont cinq en résidence surveillée. D'après *Yameen Rasheed*, plusieurs manifestant-e-s croupissaient

toujours en prison sans avoir été jugés au moment de la publication de cet article sur son blog, près de deux mois après les faits.

3.2 Attaques perpétrées par des tiers inconnus

Plusieurs rapports signalent des attaques, des menaces de mort et du cybermobbing émanant de bandes et d'émeutiers. L'USDOS (août 2017) signale que plusieurs blogueurs ont été victimes de menaces de mort ou de cybermobbing et poursuivis dans la rue par des membres présumés de gangs (« *individuals with records as criminal gang members* »). L'ancien journal en ligne maldivien *Minivan News* (renommé plus tard *Maldives Independent*) a rapporté le 10 juin 2014 le cas d'un fonctionnaire agressé par huit hommes dans un café de la capitale Malé. La victime aurait été accusée d'homosexualité et d'athéisme. *Minivan News* a en outre reçu plusieurs rapports faisant état d'enlèvements commis par des groupes d'autodéfense extrémistes (« *vigilante mob* »), dans le but d'identifier les militant-e-s qui propagent en ligne la laïcité ou l'athéisme (*Minivan News*, 10 juin 2014).

Des militant-e-s soupçonnent le gouvernement de commanditer diverses attaques. Souvent, on ne sait pas bien si les persécutions sont motivées par des raisons politiques ou religieuses. D'après le collaborateur de l'organisation internationale *International Humanist and Ethical Union* (IHEU), les menaces, les assassinats et les enlèvements de personnes non-musulmanes ont, à première vue, été commis par des groupes d'islamistes extrémistes (renseignement fourni par courriel le 9 mars 2018 à l'OSAR). Comme les personnes concernées ont souvent tendance à critiquer en même temps le gouvernement, indépendamment de leur attitude laïque ou critique à l'égard de l'islam, des militant-e-s locaux soupçonnent le gouvernement maldivien d'être impliqué dans ces actions. L'État et la religion étant très étroitement imbriqués aux Maldives, la raison pour laquelle quelqu'un est pris dans le viseur n'est pas toujours évidente. D'après le militant et blogueur *Ismail « Hilath » Rasheed*, le gouvernement collabore avec des islamistes extrémistes (*Minivan News*, juillet 2012).

Assassinats et attaques de personnes ayant une conception modérée de l'islam et de personnes qui renient publiquement l'islam. D'après le collaborateur de l'organisation internationale *International Humanist and Ethical Union* (IHEU) (renseignement fourni par courriel le 9 mars 2018 à l'OSAR), les personnes identifiées en tant que non-musulmans sont menacées, enlevées ou même assassinées. Plusieurs personnes critiques envers l'islam ou représentant une vision modérée de l'islam ont été victimes de meurtres ou de tentatives de meurtres. Des personnes qui se sont détournées de l'islam se sont vues contraintes de fuir le pays suite à des menaces de mort et l'une d'elles s'est même suicidée.

- *Yameen Rasheed*, un célèbre défenseur maldivien des droits de l'homme, blogueur, militant sur les médias sociaux et coordinateur de la campagne *Find Moyameehaa* visant à retrouver *Ahmed Rilwan*, a été poignardé à mort à son domicile de Malé le 23 avril 2017 (AI, février 2018 ; USDOS, 20 avril 2018). D'après le *New York Times* (23 avril 2017), il avait critiqué de façon satirique le gouvernement maldivien et la propagation de l'islam radical sur son blog *The Daily Panic*. *Yameen Rasheed* avait auparavant reçu plusieurs menaces de mort (USDOS, avril 2018).

Après ce meurtre, plusieurs journalistes et militant-e-s actifs sur les médias sociaux ont fui le pays, parce qu'ils avaient reçu des menaces d'arrestation de la part du

gouvernement ou craignaient que des extrémistes religieux se fassent eux-mêmes justice (USDOS, 20 avril 2018).

- *Shahindha Ismail*, la directrice du *Maldivian Democracy Network* (MDN) qui milite contre le fondamentalisme religieux, a été victime de menaces de mort et de tracasseries (OMCT, 5 janvier 2018). En décembre 2017, elle avait twitté une réaction critique aux propos du Président qui déclarait qu'il n'autoriserait pas d'autre religion que l'islam. Elle avait aussi vivement critiqué l'inertie des autorités en charge des poursuites pénales en lien avec la disparition d'*Ahmed Rilwan* et le meurtre de *Yameen Rasheed*. Dans deux articles de presse, elle a été accusée de blasphème et présentée comme apostate.
- *Ahmad Rilwan*, ancien journaliste au journal indépendant *The Maldives Independent*, avait consacré un reportage aux relations entre les extrémistes religieux et les bandes criminelles. Il a disparu en 2014 dans des circonstances non élucidées (USDOS, août 2017) après avoir reçu des menaces de mort, subi du mobbing et des persécutions. Environ deux ans plus tard, la police maldivienne a confirmé que *Rilwan* avait été enlevé devant son domicile par une personne armée d'un couteau (*Maldives Independent*, 2 avril 2016). Elle part du principe qu'il y a un lien entre la disparition de *Rilwan* et la bande *Kuda Henveiru*. D'après le journal britannique *The Guardian* (février 2015), plusieurs membres de cette bande se sont rendus en Syrie, afin de combattre pour l'organisation « État Islamique ».
- Le blogueur et militant *Muzaffar « Muju » Naeem* qui se qualifie d'« ancien musulman athée » rédige sur son blog *Muju Naeem* des articles sur plusieurs thèmes, dont la laïcité et l'extrémisme (*Muju Naeem*, novembre 2017). En 2013, il a quitté les Maldives suite à des menaces de plus en plus sérieuses et vit au Canada depuis 2017 (*Muju Naeem*, janvier 2017 et novembre 2017). Déjà avant son départ, *Naeem* a rédigé en ligne un article critique à l'égard du gouvernement. Il avait des activités politiques dans son pays d'origine (*Muju Naeem*, novembre 2017). Il semble que des membres de bande – en lien avec des personnalités politiques – ainsi que des fondamentalistes islamiques, l'aient menacé à plusieurs reprises de mort et d'enlèvement (*Muju Naeem*, janvier 2017). Les menaces ont continué après son départ des Maldives. Même son fils de dix ans en aurait reçu (*Muju Naeem*, janvier 2017).
- Le savant islamique modéré *Afrashim Ali*, ancien membre du Parlement maldivien, a été retrouvé poignardé le 2 octobre 2012. D'après *Luke Heslop*, il a été assassiné spécifiquement pour des motifs religieux (renseignement fourni par courriel le 13 mars 2018 à l'OSAR). D'après la BBC, *Afrashim Ali* était autrefois le « critique le plus virulent » de l'ancien Président maldivien *Mohamed Nasheed* (BBC, 2 octobre 2012). D'après les déclarations faites à la BBC par certain-e-s de ses collègues et ami-e-s, il a été l'un des principaux défenseurs des conceptions modérées de l'islam. Il s'est engagé pour que les personnes de foi musulmane aient le droit d'écouter de la musique ou de ne pas porter la barbe. Si la BBC prétend ne pas connaître le motif de ce crime, le *Maldives Independent* l'attribue à des motifs politiques (juin 2016). Selon ses détracteurs et détractrices, *Afrashim Ali* avait outrepassé ses prérogatives au cours de son mandat (BBC, octobre 2012).

- En juin 2012, le militant LGBTIQ, blogueur et journaliste maldivien *Ismail «Hilath» Rasheed* a été victime de plusieurs attaques et d'une tentative de meurtre (*Minivan News*, 2 juillet 2012 ; *Muju Naeem*, novembre 2017). *Rasheed* avait abordé des sujets tabous, en particulier la tolérance religieuse et la disposition constitutionnelle selon laquelle tous les Maldivien-ne-s doivent être des musulman-e-s sunnites. Il a failli perdre la vie en se faisant trancher la gorge lors d'une attaque au couteau. Alors que *Rasheed* était encore sous narcose, un inconnu qui s'était fait passer pour son père est venu à l'hôpital pour l'achever – mais il a pu être démasqué à temps. Après l'attaque, *Rasheed* a fui le pays, car il craignait pour sa vie. Quelques jours avant l'attentat, il avait déjà été frappé au visage dans la rue et menacé de mort au cas où il n'annoncerait pas publiquement son appartenance à l'islam. Auparavant, on lui avait déjà lancé des pierres en décembre 2011, lors d'une manifestation qu'il avait organisée en faveur de la tolérance religieuse. Cette agression lui avait valu une fracture du crâne. D'après *Rasheed*, les attaques ont été orchestrées par des fondamentalistes islamiques (*Minivan News*, 2 juillet 2012).
- Le 13 juillet 2010, *Ismail Mohamed Didi*, un contrôleur aérien de 25 ans, s'est pendu à la tour de contrôle de l'aéroport international des Maldives pour échapper aux persécutions liées à son rejet de la religion (*Minivan News*, 14 juillet 2010). Il avait voulu demander l'asile en Grande-Bretagne. Dans deux courriels précédemment adressés à une organisation humanitaire internationale, il s'est déclaré athée et a sollicité de l'aide pour sa demande d'asile. Dans l'un d'eux, il a aussi déclaré avoir « bêtement » expliqué ce qu'il pensait de la religion à des collègues de travail et ajouté que cette information s'était propagée « comme un feu de forêt ». Il avait aussi reçu plusieurs appels anonymes avec des menaces de violence au cas où il ne reviendrait pas à l'islam.

4 Rôle de la justice, impunité

Inactivité de la police en cas de menaces de mort ou d'intimidations. Aussi bien Al (février 2018) que l'Organisation Mondiale Contre la Torture (OMCT, 5 janvier 2018) font état de l'inactivité de la police en cas de menaces de mort. D'après USDOS (août 2017), les victimes de menaces de morts, de mobbing et de persécutions se sentent en danger, car la police ne réagit pas suffisamment à leurs plaintes.

- Avant d'être assassiné en avril 2017, *Yameen Rasheed*, s'était plaint plusieurs fois à la police de recevoir des menaces de morts (*New York Times*, 23 avril 2017; USDOS, mars 2018). La police n'a pas réagi et a classé ses plaintes sans enquêter davantage. Huit hommes ont par la suite été arrêtés en lien avec la mort de *Rasheed* (USDOS, 20 avril 2018). En août 2017, la police maldivienne a laissé entendre qu'un groupe de jeunes hommes avait tué *Rasheed*, parce qu'ils estimaient qu'il s'était moqué de l'islam. Elle déclare rechercher les commanditaires de ce meurtre qu'elle n'attribue pas à des motifs politiques. Après la mort de son fils, le père de *Rasheed* a déposé une plainte civile contre la police, l'accusant de ne pas avoir suffisamment protégé son fils de son vivant et de ne pas avoir suffisamment enquêté sur sa mort. En septembre 2017, le tribunal civil a déclaré la plainte irrecevable (USDOS, 20 avril 2018).

- *Ismail « Hilath » Rasheed* a lui aussi déclaré au *Minivan News* (2 juillet 2012) avoir vainement signalé des menaces de mort à la police. Après s'être fait lancer des pierres lors d'une manifestation, il a envoyé des photos de son agresseur, mais personne n'a été poursuivi en justice.
- Dans le cas d'*Afrashim Ali*, mort poignardé en 2012, le meurtrier a été condamné à la peine capitale, mais les commanditaires du meurtre n'ont toujours pas été identifiés trois ans et demi après l'attentat (*Maldives Independent*, 23 juin 2016).

Manque d'une justice indépendante, procès déloyaux. D'après AI (février 2018), le système judiciaire limite la liberté d'expression des opposants politiques, des défenseurs et défenseuses des droits humains, des journalistes et de la société civile. AI constate un manque d'indépendance de la justice : les autorités bafoueraient le droit à un procès loyal dans plusieurs cas concernant des opposants politiques. AI se montre préoccupé par la loyauté des procès de trois hommes dont l'exécution est imminente. L'une de ces personnes se serait fait extorquer un aveu qu'elle aurait par la suite retiré.

Prisons bondées, conditions d'hygiène et soins médicaux insuffisants. D'après l'USDOS (20 avril 2018), les prisons maldiviennes correspondaient certes aux standards internationaux en 2017, mais elles sont bondées et les soins médicaux y sont insuffisants. D'après l'*Human Rights Commission of Maldives*, les détenus ne sont autorisés à quitter leur cellule que lorsqu'ils ont de la visite, dans la plupart des prisons surveillées par le *Maldives Correctional Service* et par le *Maldives Police Service* (USDOS, avril 2018). Dans les cellules de la prison de Dhoonidhoo, la ventilation et l'approvisionnement en électricité laissent à désirer. Dans la prison de Maafushi, des détenus seraient maintenus en isolement sans ventilation ni courant pendant d'assez longues périodes, dans des cellules sans oreiller, ni matelas (HRCM, qui cite l'USDOS, avril 2018).

5 Situation pour les chrétien-ne-s

Selon des organisations chrétiennes, les chrétien-ne-s sont persécutés aux Maldives. Les Maldives occupent le 13^e rang sur la *World Watch List*, un classement des 50 pays où les chrétien-ne-s sont le plus persécutés établi par *Open Doors* (sans date, accès le 28 février 2018).

Les chrétien-ne-s sont surveillés et victimes de razzias. Ils doivent organiser leurs cultes en cachette. Selon *Open Doors*, le contrôle sévère des prédicateurs islamiques radicaux empêche les personnes converties au christianisme de témoigner publiquement de leur foi (sans date, accès le 28 février 2018). Les migrant-e-s chrétien-ne-s, venus principalement d'Inde et du Sri Lanka, seraient surveillés de près. La plupart auraient arrêté de se réunir, par crainte d'attirer l'attention des autorités. Les chrétien-ne-s étrangers (« *expatriate* ») sont certes reconnus par l'État, mais ils ne peuvent célébrer de culte que dans les ambassades de la capitale, les églises et les offices religieux étant interdits. Les chrétien-ne-s domiciliés en dehors de la capitale organisent leurs cultes en cachette, mais doivent s'attendre à des razzias de police.

Différentes indications sur la possession d'une Bible et ses conséquences. D'après *Open Doors*, la possession d'une Bible entraîne une peine de prison (sans date, accès le 28

février 2018). *Open Doors* cite le cas de touristes qui ont rencontré des problèmes, parce qu'ils détenaient un exemplaire de la Bible. L'USDOS (août 2017) renvoie aux indications des douaniers selon lesquels le Ministère des Affaires islamiques (MIA) autorise l'importation de littérature religieuse, y compris de Bibles, pour l'usage personnel. La littérature religieuse destinée à la recherche scientifique reste également autorisée. Selon *Human Rights Without Frontiers International* (HRWF, juillet 2017), il est illégal de porter en public des livres ou des écrits non-islamiques aux Maldives. Il n'est pas non plus permis de traduire des écrits religieux non-islamiques en dhivehi, la langue parlée aux Maldives.

L'importation de symboles religieux est contrôlée et les responsables sont mis en garde. Une source parle de l'interdiction des symboles religieux non-islamiques. D'après l'USDOS (août 2017), le MIA n'autorise la vente d'objets religieux tels que cartes de Noël que dans les stations balnéaires régulièrement fréquentées par les touristes étrangers. D'après leurs propres indications, les autorités douanières ont enregistré l'an dernier 18 cas d'importation de symboles religieux, dont une croix chrétienne. Tous auraient été réglés au moment de la publication du rapport de l'USDOS et des lettres d'avertissement («*letters of caution*») auraient été envoyées aux personnes ayant commis cette infraction pour la première fois. Selon HRWF (juillet 2017), il est interdit d'arbore en public des symboles religieux non-islamiques ou de prononcer des paroles de ce type ou d'« éveiller l'intérêt » pour ces symboles.

6 Sources

Amnesty International (AI), 22 février 2018:

*«The crackdown on the rights to freedom of expression and peaceful assembly continued. Authorities used the criminal justice system to silence political opponents, as well as human rights defenders, journalists and civil society. **The lack of independence of the judiciary remained a concern. The President reaffirmed that executions would resume after more than 60 years.** (...)*

Unfair trials

***The authorities ignored constitutional provisions safeguarding the right to a fair trial, as evidenced by a string of criminal cases against political opponents.** On 18 July, MP Faris Maumoon was arrested during a raid on his house for allegedly bribing law makers to sign the motion of no confidence against the Speaker. He was seeking to cancel the charges, claiming that the evidence was obtained unlawfully.*

In April, Qasim Ibrahim, leader of the Jumhooree Party, was sentenced to 38 months' imprisonment after being convicted on charges including plotting to overthrow the government. After repeated requests for medical attention, in September the court granted him permission to travel abroad for treatment.

Freedom of expression

In April, popular political blogger and social media activist Yameen Rasheed was stabbed to death in his apartment building in the capital, Malé. The year marked three

years since the disappearance of journalist Ahmed Rilwan. By the end of the year, neither of the investigations had resulted in successful prosecutions of perpetrators, and were marred by political interference.

In March, journalists from Raajje TV reported to the Maldives Police Service that they had received threats of death if they sent journalists to Faafu Atoll to cover a visit by the King of Saudi Arabia. No additional security was granted by police. Around the same time, two journalists from the newspaper Maldives Independent were taken into “protective custody” by police after receiving threats from members of the ruling party. The journalists claimed that the police read their notes and treated them like suspects.

In July, seven journalists from Sangu TV and Raajje TV were arrested while covering a protest marking Independence Day. They were detained for several hours accused of obstructing police.

Freedom of assembly

Arbitrary restrictions on peaceful protesters and human rights defenders continued. On 24 July, the military used pepper spray and tear gas to disperse parliamentarians trying to enter the Parliament building. On 8 août, a march led by relatives and friends of Ahmed Rilwan to mark the third anniversary of his disappearance was blocked by Specialist Operations police officers who used pepper spray, snatched banners, tore up placards and briefly detained nine people. Several days later, Ahmed Rilwan’s nephew and Yameen Rasheed’s sister were dismissed from their posts as civil support staff at Maldives Police Service for joining the protest.

Death penalty

The government stated that the death penalty was to be implemented “by the end of September”. Executions would be the first to be carried out in over 60 years. Three men – Hussain Humaam Ahmed, Ahmed Murrath and Mohamed Nabeel – remained at risk of imminent execution despite serious concerns about the fairness of the legal proceedings. These included the use of an apparently coerced “confession” by Hussain Humaam Ahmed, which he later retracted. The UN Human Rights Committee made repeated requests to the government to stay the executions of the three men during 2016 and 2017, in accordance with Maldives’ commitments under the Optional Protocol to the ICCPR. Of the 17 prisoners on death row, at least five were sentenced to death for crimes committed when they were below 18 years of age.” Quelle: Amnesty International (AI): Amnesty International Report 2017/18 - The State of the World's Human Rights - Maldives, 22. Februar 2018: www.amnesty.org/en/countries/asia-and-the-pacific/maldives/report-maldives/.

BBC, 2. Oktober 2012:

«A member of the Maldives parliament has been stabbed to death near his home.

Dr Afrasheem Ali - whose party is a member of the governing coalition in the Indian Ocean archipelago nation - was attacked early on Tuesday.

His murder comes at a time of political turmoil. On Monday, the trial of the former president had to be postponed after he defied a court order and left the capital by boat.

Police say they are yet to establish a motive for the killing.

*President Mohamed Waheed called it a "remorseless and foul act" and the president's media secretary sent out a text describing **the murdered MP as the "strongest critic" of ex-President Mohamed Nasheed.***

Diplomatic sources said, however, that they did not know of any animosity between Mr Nasheed and the victim, reports the BBC's Charles Haviland in Male.

The Maldives is deeply politically polarised. Police commissioner Abdullah Riyaz said no-one should blame anyone else, and all should show restraint.

UN tribute

The mood in the capital, Male, has been sombre, our correspondent reports. At the cemetery where Dr Ali was buried, seven members of the military fired shots in his honour in the presence of hundreds of Maldivians.

*The UN paid tribute to him as an accomplished scholar. **Colleagues and friends said he was a key proponent of moderate stances in Islamic observance, defending the right of believers to enjoy music or not to wear beards,** our correspondent says.*

Dr Ali was found dead by his wife outside their block of flats, having been stabbed four times in the back of the head and with wounds to his chest and neck.

He belonged to the party of another former President, Maumoon Abdul Gayoon, who ruled the Maldives for 30 years from 1978.

The United Nations joined politicians from the Maldives in condemning the murder.

Mr Nasheed, who defeated Mr Gayoon in the country's first democratic elections, says charges against him relating to alleged abuse of power are politically motivated.

His supporters hail him as a reformist moderate but his critics say he overreached his powers while in office.» Quelle: BBC, Maldives MP stabbed to death outside his home, 2. Oktober 2012: www.bbc.com/news/world-asia-19797538.

CIA, 24 avril 2018:

«Population:

392,709 (July 2017 est.)» Quelle: CIA, The World Factbook – Maldives, 24. April 2018: www.cia.gov/library/publications/the-world-factbook/geos/mv.html.

Freedom House: 27 janvier 2016:

*«Freedom of religion remains severely restricted. Islam is the state religion, and all citizens are required to be Muslims. Imams must use government-approved sermons. Non-Muslim foreigners are allowed to observe their religions only in private. **In recent years, the rise of conservative strands of Islam has led to more rigid interpretations of rules for behavior and dress, particularly for women, as well as an increase in rhetoric—and occasional physical attacks—against other religions and those who espouse more tolerant versions of Islam.** (...)*

The Maldivian constitution and legal framework grant the right to vote and opportunity to contest elections only to Muslim citizens and specifically to adherents of Sunni Islam, thus excluding the Christian minority and other religious groups.» Quelle: Freedom House: Freedom in the World 2016 - Maldives, 27 janvier 2016: www.ecoi.net/de/dokument/1320186.html.

Human Rights Without Frontiers International (HRWF), 21 juillet 2017:

«In the last few years, the expansion of radical Islam across the Maldives has been accompanied by the gradual introduction of Sharia law. (...)

Protection of Religious Unity Act

*The Protection of Religious Unity Act of 1994 maintains that “both the government and the citizens of the country must protect the religious unity that they have created”. Despite the 2010 Working Group’s “grave concern” for religious freedom under the religious unity regulations, which enforce the Religious Unity Act, the Maldivian government ratified and published the new draft of the regulations in 2011. The religious unity regulations of the Act make it “illegal in the Maldives to propagate any faith other than Islam or to engage in any effort to convert anyone to any religion other than Islam”. **It is also illegal to publically carry or display non-Islamic religious books and writings, and is illegal to translate non-Islamic religious writings into Dhivehi, the Maldivian language.** Only the following remain exempt: “articles that disseminate information about various disciplines, intellectual studies carried out, comparative studies between Islam and other religions, description of sayings and expressions about Islam by people of other religions, and dissemination of Muslim expressions on other religions”.*

Further, it is “illegal to display in public any symbols or slogans belonging to any religion other than Islam, or creating interest in such articles”. This regulation—in addition to the Regulation on the Protection of Religious Unity forbidding the media from publicising material that “humiliates Allah or his prophets or the holy Quran or the Sunnah of the Prophet (Mohamed) or the Islamic faith”—authorised the Maldivian Ministry of Islamic Affairs to block eight websites in 2008 and 2009 “for allegedly publishing anti-Islamic and pro-Christianity content in [] Dhivehi [language]”. (...)

Apostasy Law

A major concern to the country is the Islamists’ rising influence. In addition to the constitutional provisions granting equal protection of human rights only to the extent they are compatible with Islam, there has also been talk about fully integrating and implementing Sharia

law in the country. Even under current law, however, aspects of Sharia are incorporated into the legal system. **For example, starting at age seven, apostasy is punishable by death.**

In May 2010, during a public question-and-answer session with Islamic speaker Dr. Zakir Naik, Mohamed Nazim stated that he was “Maldivian and not a Muslim”. Nazim was the first Maldivian to publicly announce he was not a Muslim. The Islamic Foundation, a local religious non-governmental organisation, called for Mohamed Nazim to be stripped of his citizenship and sentenced to death if he did not repent and return to Islam. Nazim’s statement challenged the constitutionality of revocation for renouncing the Muslim faith. The 2008 Maldivian Constitution states that anyone who was a Maldivian citizen at the commencement of the Constitution is a citizen of the Maldives. It also states that “[n]o citizen of the Maldives may be deprived of citizenship”. Thus, Maldives’ adherence to Sharia law, which punishes apostasy with revocation of citizenship, is contradictory to the Maldivian Constitution. Nazim said, “When I did what I did, legally I was absolutely convinced that there was no way I could not be a Maldivian”.

Ultimately, Nazim re-embraced Islam, after being detained for five days at the Dhoonidhoo prison where he received counseling from religious scholars. He said, however, “[t]he extremism that was taking hold in the Maldives was increasing so rapidly. . . . I needed to speak about it”. Nazim stated that “[s]omebody had to do it, it needed to be spoken about. The repression of thought, the lack of debate and a lack of a proper public sphere in which such discussion can take place, is dangerous”.» Quelle: Human Rights Without Frontiers International (HRWF), Religious Freedom in the Maldives: Present and Future Challenges, 21. Juli 2017: <http://hrwf.eu/religious-freedom-in-the-maldives-present-and-future-challenges/>.

Joshua Project, sans date (accès le 1^{er} mars 2018):

RELIGIONS ▲	Percent
Buddhism	0.7 %
Christianity (Evangelical 0.0 %)	0.0 %
Ethnic Religions	0.0 %
Hinduism	1.0 %
Islam	98.2 %
Non-Religious	0.0 %
Other / Small Religions	0.1 %
Unknown	0.0 %

«Notes:

Major Religions: Religion percentages are derived from summing Joshua Project's data for all people groups who live in each country. The number of individuals who practice each religion, by people group, are summed. This number is divided by the country's total population to derive the religion's percentage.» Quelle: Joshua Project, Country: Maldives, Religion, sans date (Zugriff am 1. März 2018): <https://joshuaproject.net/countries/MV>.

Maldives Independent, 29 mai 2017:

«The Maldives Police Service has summoned three liberal bloggers living overseas and threatened to seek prosecution in absentia if they fail to return to the Maldives within two weeks.

The MPS told Dr Azra Naseem, Muzaffar 'Muju' Naeem, and Hani Amir via separate press releases posted on Twitter today to present themselves to speak in their defence against unspecified allegations.

The police will ask the Prosecutor General's office to press charges and try them in absentia if they refuse, the statements warned.

The police spokesman declined to provide any details about the charges.

*Dr Azra Naseem, 45, works as a research fellow at the Dublin City University in Ireland. **She is the author of Dhivehi Sitee, a site presenting critiques of Maldivian society and politics with a special focus on "the religious radicalisation of people and the actors and actions that make possible the ongoing regressions in the Maldivian people's right to a self-governed life of dignity and liberty."***

*Muju Naeem, 37, who describes himself as an activist for secularism, has been living in self-imposed exile at an undisclosed location. **Hani Amir, 27, an environmentalist, artist and photographer, is studying in Australia.***

"I really have no idea what the summons are about. I have not done anything illegal," Dr Naseem told the Maldives Independent.

*“As far as what to do next, I really don’t know yet. The press release requires me to present myself at the police station in Malé within 14 days. I know for certain that I will not be able to do that. **I have been living in Dublin, Ireland since 1998.**”*

“I have a life here, a family, and commitments that I cannot just abandon to respond to a summons which does not even tell me why I am required, what they want to question me about. I am not rich. I don’t have the financial means to buy a ticket to travel to the Maldives just like that. Even if I did, why should I drop everything and travel half way across the world to satisfy the unspecified whims of a police force that are known to knowingly act against the constitution of the Maldives?”

Muju Naeem called the summon part of “an ongoing witch hunt for secularists” and suggested that it was prompted by Majority Leader Ahmed Nihan’s call for legal action against secular or irreligious Maldivians.

The parliamentary group leader of the Progressive Party of Maldives was reported as saying at a ruling coalition rally last Tuesday that Maldivians who insult Islam should be prosecuted and punished to the fullest extent of the law.

“This so-called ‘irreligiosity’ has been used in the past also to silence calls for universal human rights and civil rights in the country,” said Naeem.

“It’s a tool frequently used to silence ongoing violations of human rights and the bastardization of democracy in the country. I do not intend to hand myself into the police for whatever investigation they are conducting. It’s pretty clear at this point, this is persecution based on my beliefs.”

Hani Amir also believes the three were targeted “because we promote secularism.”»

Quelle: Maldives Independent, Police summons issued to liberal bloggers with threat of trial in absentia, 29. Mai 2017: <http://maldivesindependent.com/society/police-summons-issued-to-liberal-bloggers-with-threat-of-trial-in-absentia-130891>.

Maldives Independent, 23 juin 2016:

«Family members of a murdered MP have asked the supreme court to delay the death penalty for the 22-year-old man convicted of killing him. (...)

The police said the murder was premeditated and politically motivated. But three and a half years on, the masterminds behind the killing have not been identified.» Quelle: Maldives Independent, Family of murdered MP asks supreme court to delay death penalty for killer, 23. Juni 2016: <http://maldivesindependent.com/politics/family-of-murdered-mp-petitions-supreme-court-to-delay-death-penalty-for-killer-124985>.

Maldives Independent, 2 avril 2016:

«The Maldives police say they have established links between the disappearance of The Maldives Independent reporter Ahmed Rilwan and an abduction reported outside his apartment on août 8, 2014, some 600 days ago.

Chief Inspector Abdulla Satheeh confirmed today allegations made by human rights NGO, the Maldivian Democracy Network, in a 2014 comprehensive report into Rilwan's disappearance, and said that members of Malé's Kuda Henveiru gang had followed Rilwan for over two hours on the night he went missing.

The police now believe Rilwan was abducted at knifepoint outside his apartment and taken into a red car that belongs to Aalif Rauf, a senior member of Kuda Henveiru, Satheeh said.

DNA analysis of hairs lifted from the trunk of Aalif's car matched that of Rilwan's mother, Satheeh said.» Quelle: Maldives Independent, Rilwan was abducted, confirms police, 2. April 2016: <http://maldivesindependent.com/crime-2/rilwan-was-abducted-after-hostile-surveillance-police-confirm-123185>.

Minivan News, 10 juin 2014:

«Government employee, Adam Ghafoor*, was attacked on Sunday in a Malé cafe by a group of eight men accusing him and his friends of homosexuality and atheism.

'You homosexual atheists are destroying our country – we will not stand back and watch you do it,' Adam reported the group as saying.

After being accused of being atheists, Adam asked the men to leave, prompting his interrogators to launch an attack – raining blows on him as onlookers watched without offering assistance.

Details of this attack follow further reports received by Minivan News today of abductions made by a vigilante mob attempting to identify online activists advocating secularism or professing atheism.» Quelle: Minivan News, Perceived atheists and homosexuals targetted as campaign of attacks continues, 10. Juni 2014: <https://minivannewsarchive.com/politics/perceived-atheists-and-homosexuals-targetted-as-campaign-of-attacks-continues-86753>.

Minivan News, 2 juillet 2012:

«Ismail 'Hilath' Rasheed got out his mobile phone and called for a taxi, but no sound came from his throat.

Instead the Maldivian blogger, journalist and former Amnesty prisoner of conscience, infamous for his willingness to tackle taboo subjects, particularly religious tolerance – felt air escaping from his neck.

"A very bad kind of panic came at that moment. I knew my trachea was cut. I knew it was a deep cut, and not just on the surface of the skin," the journalist told Minivan News, prior to fleeing his own country in fear of his life.

Moments before, on the **evening of June 4**, Rasheed had turned into the dark alleyway leading to the door of his apartment block to find a man in a yellow shirt waiting for him. (...)

*“My father later told me that I happened to go into the hospital when the new shift was coming in. All the old shift doctors stayed on – there were 6-8 of them. **My father said at that moment they told him that I had a less than one percent chance of survival, but that they would try everything they could.**” (...)*

*“**While I was under anesthetic, I was told by a friend of a friend – a gang member – that someone had been sent into the hospital to kill me – to pull the plug. Nobody would have noticed,**” Rasheed says.*

*“**This bearded guy came into the Intensive Care Unit posing as my father. While he was near me a doctor who knew my father just happened to come into the ICU. The doctor was suspicious, and asked him who he was – he said he was my father. The doctor said ‘I know Hilath’s father, you are not his father,’ and called security to have him thrown out. He’s on the hospital’s CCTV footage.**” (...)*

Rasheed has no doubt in his mind as to the motivation behind his attack – the third in just a few months. The attack was unusual in that most of the wave of recent gang stabbings in the Maldives have involved multiple stab wounds to different parts of the body – targeted throat slashing is new. (...)

*“**Ever since I reported the story on my blog I have received death threats. Things like: ‘If we see you on street we will slash your throat’, ‘we will behead you’, ‘don’t walk in a dark alley,’ things like that,**” says Rasheed.*

One of only several Maldivian bloggers to write under his own name, **Rasheed courted controversy by continuing to tackle taboo subjects in the Maldives – particularly religious intolerance, and the constitutional provision that all Maldivians were required to be ‘100 percent Sunni Muslim’.** This was at odds, Rasheed argued, with the country’s Sufi history and new-found commitment to freedom of expression – which had ironically, he argued, also given a voice to more extreme interpretations of the religion.

The attitude of many to Rasheed’s work was summarised in comments made by spokesperson for former President Maumoon Abdul Gayoom and newly-appointed Minister for Human Resources, Mohamed ‘Mundhu’ Shareef, who told AFP following the attempt on the blogger’s life that while the government condemned the attack, “Hilath must have known that he had become a target of a few extremists.”

“We are not a secular country. When you talk about religion there will always be a few people who do not agree,” Shareef said.

Both the administrations of Nasheed and Waheed showed little interest in prosecuting those who threatened and attacked Rasheed – regardless of the number of photos and witnesses.

*“**I reported the threats to police. In fact an intelligence officer met me after the concubine story. Nothing came of it. The man who attacked me with the stone on December 10 – there were photos of him, I gave his identity and everything. Police never arrested him, and as far as I know he’s still roaming free around Male.**”*

Police are investigating the latest attack on Rasheed, but despite claiming to have access to CCTV footage of the area, no arrests had been made at time of press. Police Sub-Inspector Hassan Haneef told Minivan News that while the investigation was proceeding, the case was “sensitive”.

The reason for that, Rasheed says, “is very obvious.”

“This coup government is collaborating with Islamic extremists. The extremists together with the Adhaalath party are now in power. I don’t think they will arrest my three attackers, even this time, and I don’t think I will get justice as long as Waheed’s coup government is in power,” the blogger says.

Days before the attempt on his life, Rasheed and a friend were passing the Furqan mosque in Male’ on their way to the swimming tracks. Six members of the same gang who attacked him on December 10 – who were inside setting up a sermon – came out and began punching him in the face.

“They cornered me, and pushed me into the wall. And started punching my face. As they were punching me I told them I had repented and was a Muslim. One of them said: ‘We don’t know that. You have to make a public announcement that you are a Muslim. Otherwise we will kill you.’” (...)

“People linked to these groups hit him with stones in December 2011, fracturing his skull, because he had arranged a rally to call for religious tolerance. Although that attack took place in front of onlookers and there is photographic evidence that can be used to identify the attackers, no one has yet been brought to justice for that attack,” Amnesty said.

For his part, **Rasheed is no longer in the Maldives and has said he has no specific plans to return.**» Quelle: Minivan News, Slashed journalist claims attack was targeted assassination by Islamic radicals, 2. Juli 2012: <https://minivannewsarchive.com/society/slashed-journalist-claims-attack-was-targeted-assassination-by-islamic-radicals-40078>.

Minivan News, 14 juillet 2010:

«Hanged air traffic controller sought asylum for fear of religious persecution

Ismail Mohamed Didi, the 25 year-old air traffic controller who was found hanged from the control tower of Male International Airport at 4:00am on Tuesday morning in an apparent suicide, was seeking asylum in the UK for fear of persecution over his lack of religious belief.

Islamic website Raajjeislam reported yesterday that Ismail “was a person inclined to atheism” and had “declared his atheism to his friends.”

The website alleged that Ismail had refused to follow religious sermons.

“This is an issue that a Muslim government should consider,” the website said. **“Because when these types of people die, they are buried in the same [cemetery] where Muslims are buried. Their funeral prayers and body washing are also conducted as for Muslims. It is questionable as to whether this is allowed according to Islam.”**

Over two emails sent to an international humanitarian organisation on June 23 and 25, obtained by Minivan News, Ismail admits he is an atheist and desperately requests assistance for his asylum application, after claiming to have received several anonymous threats on June 22.

In the emails, he says he “foolishly admitted my stance on religion” to work colleagues, word of which had “spread like wildfire.”

“A lot of my close friends and girlfriend have been prohibited from seeing me by their parents. I have even received a couple of anonymous phone calls threatening violence if I do not repent and start practising Islam,” he said.» Quelle: Minivan News, Hanged air traffic controller sought asylum for fear of religious persecution, 14. Juli 2010: <https://minivannewsarchive.com/society/hanged-air-traffic-controller-sought-asylum-for-fear-of-religious-persecution-9381>.

Muju Naeem, 22 novembre 2017:

*«An essential element of my story is that **I am an ex-Muslim atheist**. In the language of Islam, an apostate. My leaving of Islam wasn't a decision made lightly nor was it made in ignorance of what some have argued with me was the lack of my understanding of what “true Islam” is. (...)*

*After some intense questioning at the police station, I was then transferred to another prison on the same day. I spent eleven days in solitary confinement again, this time in **Dhoonidhoo Prison, well known and notorious for torture**. (...)*

***The same year I would start a news website called Dhivehi Observer. It was my first entry into the Maldivian political landscape.** (...)*

*In the middle of 2012, Hilath Rasheed, by now a close friend, was attacked by Islamist thugs, and his throat was slashed with a box cutter while outside his home in the capital. He was also a journalist and a blogger. **Being gay himself, he was also one of the very first LGBTQ activists in the country**. Miraculously he survived the attack. Emotionally and mentally he would never recover, and Hilath would later retire from public life. He disappeared without being in touch with anyone in our activist community. (...)*

***However, whenever I was back in Male' during weekends or for any other reason, I would still end up joining the protests – staying away from politics as I had originally intended was next to impossible.** (...)*

*After launching **Secular Maldives**, realizing that the Maldives was no longer safe for me I quietly relocated myself to Kuala Lumpur in janviery 2013. (...)*

Early in June, our refugee application was granted by the UNHCR in record time – two months since the application was made. Our case file first went to the Americans, which promptly bounced because of President Trump's refugee ban. Then it was passed over to the Canadian embassy in Colombo. We had two meeting with the embassy. The first meeting was for an interview which lasted for 3 hours. We were informed after the interview that we were being placed in the federal government's Urgent Protection Program and being resettled in Vancouver. The second meeting was to get our passport stamped with a Temporary

*Resident Pass. After an anxiety-laden airport process with the International Organization for Migration officials (they take care of refugee transit on behalf of the UNHCR) **we landed in Vancouver on June 22 of this year. From application to resettlement it all happened just under 3 months.***

This week, we became permanent residents of Canada.» Quelle: Muju Naeem, 22. November 2017: <https://mujunaem.wordpress.com/2017/11/22/from-islam-to-atheism-and-a-struggle-for-democracy-and-secularism-in-the-maldives-talk-at-bcha/>.

Muju Naeem, 29 mai 2017:

«Maldives Police Service issue arrest warrant for me after podcast

May 29, 2017 · by Muju Naeem

After my appearance on a podcast with “The Secular Jihadists of the Middle East”, the Maldives police service issue an arrest warrant for me. (...)

The text of the warrant reads;

“Muzaffar Mohamed Naeem (age 37) of M. Velidhooge, K. Male’ is wanted for an investigation the Maldives Police Service is carrying out.

Since we have information that Muzaffar Mohamed Naeem is currently living abroad, he is asked to present himself to the Maldives Police Service within 14 days to respond in his defense to accusations against him in our investigation.

If Muzaffar Mohamed Naeem doesn’t present himself to Maldives Police Service within these 14 days, we will be forwarding evidence against him in our investigation to the Prosecutor General of the Maldives to proceed with prosecution in his absentia. This notice has been issued to inform Muzaffar Mubeen Naeem of this matter.”» Quelle: Muju Naeem, Maldives Police Service issue arrest warrant for me after podcast, 29. Mai 2017: <https://mujunaem.wordpress.com/2017/05/29/maldives-police-service-issue-arrest-warrant-for-me-after-podcast/>.

Muju Naeem, 3 janvier 2017:

«Ever since I have been an activist, I have attracted various forms of threats. The threats were being made by both gang members (sometimes connected with political figures) and Islamists in the country. These threats vary from murder, stabbing, hacking, being stoned, thrown off buildings and enforced disappearance. There was at least time when my 10 year old son was threatened. (...)

It is because of these threats, I left my home country in janviery 2013. Today I currently reside at an undisclosed East Asian country in self exile. While leaving my home country hasn’t reduced the amount of threats I have received, but it certainly has helped my anxieties. I no longer watch over my back when I leave the house.» Quelle: Muju Naeem, All threats will be documented and made public – #FikuryIngilaab, 3 janvier 2017, <https://mujunaem.wordpress.com/2017/01/03/all-threats-will-be-documented-and-made-public/>.

New York Times, 23 avril 2017:

«A liberal blogger who wrote satirical critiques of the Maldivian government and the spread of radical Islam died Sunday after being stabbed in the stairway of his apartment building.

The blogger, Yameen Rasheed, 29, had complained repeatedly to the police about receiving death threats, he said in an interview with The New York Times this year, adding that the police often failed to return his calls or dropped his complaints without investigation.

“In my case, I get multiple kinds of death threats from different people, because I write and do the campaign,” he said. Mr. Rasheed was a coordinator of a campaign to find his friend Ahmed Rilwan Abdulla, a journalist for The Maldives Independent who was abducted in 2014.

The police said that Mr. Rasheed was found with multiple stab wounds in his apartment building in the capital, Malé, shortly before 3 a.m. He was rushed to Indira Gandhi Memorial Hospital and died soon after.

The Republic of Maldives, a nation of nearly 1,200 islands southwest of India, is best known as a spectacular vacation destination. But the country, with fewer than 400,000 people, has also become a source of recruits for the Islamic State. The government said at least 49 Maldivians had traveled to Syria to fight with the group, also known as ISIS; a 2015 study by an international security firm said the number was about 200.

The population, which is predominantly Sunni Muslim, has traditionally been liberal in its interpretation of Islam, with women rarely covering their heads. But a more conservative strain of Islam has spread in recent years under the increasing influence of Saudi Arabia, which sends religious leaders to the Maldives and offers scholarships to Maldivian students to study at Saudi universities.

A spokeswoman for the hospital, Zeenath Ali Habeeb, said Mr. Rasheed had been brought in at 3:15 a.m. with multiple stab wounds, having lost a lot of blood. He was unconscious and had a very weak pulse, she said, and he died while being treated.

His father, Hussain Rasheed, told the local news media that his son had been stabbed 16 times in the chest, neck and head.

Mr. Rasheed was best known for satirical Twitter posts and weekly posts on his popular blog, *The Daily Panic*, which riffed on the week’s headlines, often criticizing the government’s use of religion to appeal to the public.

He was also a coordinator of the *Find Moyameehaa* campaign, which was started after Mr. Abdulla was abducted almost three years ago.» *Quelle: New York Times, Outspoken Maldives Blogger Who Challenged Radical Islamists Is Killed, 23. April 2017: www.nytimes.com/2017/04/23/world/asia/yameen-rasheed-dead-maldives-blogger-dead.html.*

Office of the High Commissioner of Human Rights (OHCHR), 10 août 2016:

«The UN Special Rapporteur on freedom of expression, David Kaye, deplored the adoption on 9 août of the “Protection of Reputation and Good Name and Freedom of Expression Bill” by Parliament in the Maldives, warning that it limits the right to freedom of expression to such a degree that the right itself is in jeopardy. (...)

“The use of religion as a ground for limiting free speech is particularly worrying. International human rights law protects individuals from discrimination and violence based on their religion or belief, but it does not protect from comment or criticism religion or belief as such,” Mr. Kaye noted. “Moreover, limitations on expression based on morals cannot be derived exclusively from a single tradition or religion.”» Quelle: Office of the High Commissioner of Human Rights (OHCHR), Bill’s adoption threatens freedom of expression in the Maldives, UN expert warns, 10 août 2016: www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=20359&LangID=E.

Open Doors, sans date (accès 28 février 2018):

- **«Leader: *President Abdulla Yameen***
- ***Population: 376,000 (A few thousand Christians)***
- ***Main Religion: Islam***
- ***World Watch List Rank: 13***

All citizens are expected to be Muslims and these close-knit homogeneous island communities act as natural watchdogs for any deviation from this.

Conversion can lead to being reported to Muslim leaders or authorities. Radical Islamic clerics exert strong control, making it impossible for converts to show their faith in any way. Migrant Christians (from India and Sri Lanka) are strictly monitored, too. Reportedly, most have ceased meeting, since it was drawing too much attention from the authorities.

PERSECUTION IN MALDIVES

The government sees itself as the protector of Islam, and the judicial system increasingly reflects Sharia (Islamic law); the death penalty has been introduced as punishment for murder, even for children, and a law banning marital rape was vetoed by the president as 'un-Islamic'. Converting to another religion means losing your citizenship, and **being found to own a Bible would result in a prison sentence.**

While the state does recognise expatriate Christians, church gatherings and buildings are banned, so they are only able to meet in embassies in the capital. Those who live outside the capital sometimes meet in secret for worship, but these meetings are prone to police raids. Even tourists have reported getting into trouble for having a personal copy of the Bible.» Quelle: Open Doors, Maldives, sans date (Zugriff am 28. Februar 2018): www.opendoorsuk.org/persecution/countries/maldives/.

Organisation Mondiale Contre la Torture (OMCT), 5 janvier 2018:

«Description of the situation: The Observatory has been informed by reliable sources about death threats and harassment against Ms. Shahindha Ismail, Executive Director of the Maldivian Democracy Network (MDN).

According to the information received, Ms. Shahindha Ismail has received several death threats that were posted on anonymous accounts on Twitter and Facebook, following the publication of news articles on the Vaguthu Online newspaper on December 28, 2017 over an alleged anti-Islamic tweet posted by Ms. Ismail on December 21, 2017. Ms. Ismail tweeted in response to President Yameen Abdul Gayoom's statement that he would not allow for any religion but Islam. Ms. Ismail's tweet read: "Religions other than Islam exist in this world because Allah allowed for it. No other religion would exist otherwise, is it not?". The articles published accused her of blasphemy and branded her an apostate, two crimes that carry serious legal penalties in Maldives, including the death penalty in some cases. Death threats were also made through comments posted in response to the Vaguthu Online articles.

Moreover, on December 28, 2017, the Maldives police announced that they had launched an investigation against Ms. Shahindha Ismail under the Religious Unity Act, which carries a five-year jail term, in relation to the above-mentioned Twitter post. Shortly before the launching of the investigation, the Ministry of Islamic Affairs had issued a statement calling for anti-Islamic speech to be put to an end. On the other hand, no investigation was carried out into the threats and acts of intimidation against Ms. Ismail.

The Observatory fears that Ms. Shahindha Ismail is being targeted because of her criticism of President Yameen Abdul Gayoom's human rights record. **In particular, Ms. Ismail is a strong advocate against religious fundamentalism in Maldives and has been a vocal critic of law enforcement agencies' inaction and impunity regarding the ongoing disappearance of journalist Ahmed Rilwan and the murder of Mr. Yameen Rasheed, a human rights activist and blogger in Maldives.**

The Observatory strongly condemns the above-mentioned death threats and harassment against Ms. Shahindha Ismail and urges the authorities of Maldives to guarantee in all circumstances her physical and psychological integrity.» Quelle: Organisation Mondiale Contre la Torture (OMCT), Urgent: Death Threats and harassment in the Maldives, 5 janvier 2018: www.refworld.org/docid/5a6791f97.html.

Royal Islamic Strategic Research Centre (RISSC), 28 septembre 2010:

«The Royal Islamic Strategic Research Centre (RISSC)'s report into the global state of Islam has described the Maldives as a 99.41 percent Muslim country.

RISSC is an independent research entity affiliated with the Royal Aal al-Bayt Institute for Islamic Thought, an international Islamic non-governmental institute headquartered in the capital of the Hashemite Kingdom of Jordan.» Quelle: Royal Islamic Strategic Research Centre (RISSC), Maldives a 99.41 percent Muslim country, claims RISSC report, 28. September 2010: <http://rissc.jo/maldives-a-9941-percent-muslim-country-claims-rissc-report/>.

Straits Times, 14 mars 2016:

«New Delhi (AFP) - The Maldives government is "extremely worried" about the number of nationals from the tiny troubled honeymoon islands joining the Islamic State in Iraq and Syria (ISIS) group, a top official said on Monday (Mar 14).

Maldives foreign secretary Ali Naseer Mohamed said as many as 40 people have travelled to the Middle East from the Indian Ocean archipelago, which has a population of just 350,000 - mainly Sunni Muslims.

"It is a big concern for us, it is a social concern, it's a security concern and we are extremely worried about it," the country's top diplomatic official told reporters in New Delhi.» Quelle: Straits Times, Maldives 'extremely worried' about ISIS recruitment: Official, 14. März 2016: www.straitstimes.com/asia/south-asia/maldives-extremely-worried-about-isis-recruitment-official.

The Daily Panic, 29 juin 2015:

«1st May 2015 saw the largest anti-government protests in Maldivian history, with nearly 20,000 protesters filling the main thoroughfare in Malé. It also saw the largest police crackdown in over a decade, with nearly 200 democratic protesters arrested. I was among those arrested, and was held captive for 21 days, including 5 days of house arrest, without trial. Nearly two months later, several protesters continue to remain in prison without trial.» Quelle: The Daily Panic, Dhoonidhoo Diaries: Part 1 – Arrest and Incarceration, 29. Juni 2015: <http://thedailypanic.com/2015/06/dhoonidhoo-diaries-part-1-arrest-and-incarceration/>.

The Guardian, 26 février 2015:

«More than a dozen members of the Kuda Henveiru gang, named after the neighbourhood where it is based, are reported to have left for Syria last month. Among them are two men detained in connection with the abduction of Rilwan. Others who travelled in January have a range of charges outstanding against them or have previous convictions for trafficking, assault and murder. At least one has also been linked to the murder of the cleric in 2012, though never charged.

The story of the gang is an example of the effect the Isis caliphate and the war in Syria has had thousands of miles away, intersecting with local conditions and small group dynamics to reinforce a resurgence of extremism across the Muslim world.» Quelle: The Guardian, Paradise jihadis: Maldives sees surge in young Muslims leaving for Syria, 26. Februar 2015: www.theguardian.com/world/2015/feb/26/paradise-jihadis-maldives-islamic-extremism-syria.

UN News, 29 avril 2014:

«The United Nations human rights office today voiced deep concern about a new regulation in the Maldives that effectively overturns a 60-year moratorium on the use of capital punishment in the country and allows for children as young as seven to be sentenced to death for certain crimes.

*“We urge the Government to retain its moratorium on the use of the death penalty in all circumstances, particularly in cases that involve juvenile offenders and to work towards abolishing the practice altogether,” said **Ravina Shamdasani, spokesperson for the Office of the High Commissioner for Human Rights (OHCHR).***

“We equally encourage the Government to repeal the new regulations and other provisions that provide for the death penalty,” she told reporters in Geneva.

Adopted on 27 April, the new regulation provides for the use of the death penalty for the offence of intentional murder, including when committed by individuals under the age of 18. The age of criminal responsibility in the Maldives is 10, but for hadd offences, children as young as 7 years old can be held responsible. Hadd offences include theft, fornication, adultery, consumption of alcohol, and apostasy.

Ms. Shamdasani noted that the new regulation means that children as young as 7 can now be sentenced to death.

“According to the new regulation, minors convicted of intentional murder shall be executed once they turn 18. Similar provisions in the recently ratified Penal Code, allowing for the application of the death penalty for crimes committed when below the age of 18, are also deeply regrettable,” she said.

Under international law, those who are charged and convicted for offences they have committed while they were under 18 years of age should not be sentenced to death or life imprisonment without possibility of release, the spokesperson added.

Further, international human rights treaties, particularly the Convention on the Rights of the Child and the International Covenant on Civil and Political Rights, which Maldives has ratified, impose an absolute ban on the death sentence against persons below the age of 18 at the time when the offence was committed.» Quelle: UN News, Maldives should repeal new regulation providing for death penalty, says UN rights office, 29. April 2014: <https://news.un.org/en/story/2014/04/467162-maldives-should-repeal-new-regulation-providing-death-penalty-says-un-rights>.

US Department of State (USDOS): 20 avril 2018:

*«According to the Human Rights Commission of Maldives’s (HRCM) fourth annual antitorture report released during the year, the Maldives Police Service (MPS) was accused in 17 of the 30 cases of torture submitted to the commission between July 2016 and June 2017. The Maldives Correctional Service (MCS) was accused in 13 cases. In six of the cases alleging police torture, the victims were under the age of 18. The HRCM closed investigations in 29 of the 30 cases and found evidence of torture in one case, which was forwarded to the Prosecutor General’s Office and was in trial as of November. **There were several allegations of police brutality from journalists and opposition protesters, who were routinely arrested during antigovernment protests.** In July independent Raajje TV said one of its reporters arrested while covering an antigovernment rally was kicked by police, following which the International Federation of Journalists in a statement condemned the police for “roughing up” journalists carrying out their professional duty.*

Government regulation permits flogging as a form of punishment. The government did not release the statistics on flogging punishments for the year. According to a 2014 Supreme Court guideline, the court must delay the execution of a flogging sentence on minors until they reach the age of 18.

Prison and Detention Center Conditions

Although overcrowded and lacking adequate medical care, prisons generally met most international standards. (...)

*In February independent MP Ahmed Mahloof, who was serving an 11-month prison term, expressed concerns about prisoners being denied access to medical care, poor quality of food served to prisoners, and harsh detention conditions. **The HRCM reported conditions varied across detention facilities. In most of the facilities overseen by the MCS and MPS, the HRCM reported detainees were not allowed to leave their cells except for visitation. In Male Prison and the maximum security unit of Maafushi Prison, detainees had reportedly not been allowed outside to exercise for more than a year. The HRCM reported poor ventilation and lack of electricity in cells at Dhoonidhoo Custodial Center. Solitary confinement was practiced at Maafushi Prisons in specialized cells without ventilation or electricity. Although inmates were not held in solitary for extended periods of time, they were not provided a mattress or pillow to sleep on. (...)***

Political Prisoners and Detainees

The government asserted there were no political prisoners; however, the opposition, international and domestic NGOs, and members of the international community estimated there were at least four political prisoners and likely many more. The political prisoners identified by these groups were convicted of terrorism, weapons smuggling, or bribery charges. The Office of the High Commissioner for Human Rights and UN officials were allowed access to these prisoners on scheduled visits and upon request.

*Former president Mohamed Nasheed, who was leader of the opposition Maldivian Democratic Party and ran against President Yameen during the 2013 presidential election, was subjected to a rushed trial in 2015 on terrorism charges and many of his due process rights were ignored, according to international observers. The UN Working Group on Arbitrary Detentions in September 2015 determined Nasheed's detention was politically motivated and assessed that serious due-process violations indicated Nasheed had not received a free and fair trial. The government announced its rejection of the working group's findings in a September 2015 press release. In January 2016 the government granted approval for Nasheed to travel to London on a medical furlough. **He remained in London at year's end and stated he was unable to return due to concerns he would again be arbitrarily detained.** In July former vice president Adeen claimed Nasheed's 13-year terrorism sentence was "masterminded under direct government scheming and influence" and offered to testify in the Supreme Court to provide evidence of his claims. The authorities had not responded at year's end. (...)*

Violence and Harassment: Authorities allegedly attacked, harassed, and intimidated media representatives.

The most significant incident of violence was the killing of Yameen Rasheed, blogger and social media activist, as cited in section **Some observers claimed police did not investigate the case thoroughly, nor did they respond to or investigate the multiple death threats Rasheed had previously reported to the police, according to Rasheed's social media accounts and his friends and family. After Rasheed's killing, several journalists and social media activists fled the country and took up self-exile in Sri Lanka and the United Kingdom due to threats of arrest by the government or fear of vigilante justice by religious extremists.** Journalists believed the government used the investigations as an intimidation tactic to pressure media into not criticizing the government. During the year the government took statements from 11 journalists from three media stations. (...)

Yameen Rasheed, a prominent blogger and social media activist who was often critical of the government, was killed on April 23. Eight men were arrested in connection with Rasheed's death, and the MPS filed charges against seven of the suspects. In août police stated a group of young men, unaffiliated with any organization, had killed Rasheed because they believed he "mocked" Islam. Police also said that the killing was not politically motivated and that they were investigating unspecified persons of interest who may have encouraged the suspects in committing the crime. Rasheed had previously received multiple death threats, which were reported to police, but according to Rasheed's social media accounts and his friends and family, police had not responded to or investigated these threats. In a public speech on April 27, President Yameen condemned Rasheed's actions as "mocking" Islam and said "this is how it happens," which activists viewed as Yameen's justifying Rasheed's killing. Rasheed's father filed a civil suit against police on the basis of negligence to protect Rasheed prior to his death and failure to investigate the killing sufficiently. In September the Civil Court declared the suit invalid.» Quelle: US Department of State, Country Report on Human Rights Practices 2017 - Maldives, 20. April 2018, S. 2-3, 11, 15, 27-28: www.state.gov/documents/organization/277531.pdf.

US Department of State (USDOS): 15 août 2017:

«Section I. Religious Demography

The U.S. government estimates the total population at 393,000 (July 2016 estimate), which includes approximately 110,000 foreign workers from Bangladesh, Sri Lanka, India, and Pakistan. The Maldives government estimates there may be another 15,000 to 20,000 undocumented foreign workers in the country from South Asian countries. **While officially, the religion of the indigenous population is Islam and the vast majority of citizens appear to follow Sunni practices, there are no reliable estimates of the citizenry's actual religious affiliation. Foreign workers appear to be mostly Muslims, Buddhists, Hindus, and Christians.**

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 the state religion as Islam, which it defines in terms of Sunni teachings. It

states citizens have a “duty” to preserve and protect the state religion of 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 the Majlis may pass laws limiting rights and freedoms “to protect and maintain the tenets of Islam.” In making a decision about whether a limitation on a right or freedom is constitutional, the constitution states a court must take into account the extent to which the right or freedom “must be limited” to protect Islam.

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

The law prohibits the conversion of a Muslim to another religion and specifies a violation may result in the loss of the convert’s citizenship, although a judge may impose harsher punishment per sharia jurisprudence.

The law, in the provisions of the Religious Unity Act passed in 1994, states both the government and the people must protect religious unity. Any statement or action found to be contrary to this aim is subject to criminal penalty. Specific infractions include working to disrupt religious unity and discussions or acts promoting religious differences. The list of infractions also includes delivering religious sermons in a way infringing 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 (\$1,322) or imprisonment from two to five years, or deportation for foreigners.

In août the parliament passed a new law entitled “Anti-Defamation and Freedom of Expression” which criminalizes speech breaking Islamic tenets, breaching social norms, or threatening national security. The new law states freedom of expression is a basic right “as long as it is in line with the tenets of Islam.” It states the expression of thoughts and opinion in writing, in speech, or through another medium is protected, except in cases where such an expression “makes a mockery of Islam,” questions the validity of Islam or one of its tenets, compromises the “religious homogeneity of Maldivians,” or causes “disunity and religious polarization.” The new law further states any religious preaching or efforts to teach Islam shall be in accordance with the standards set forth in the Religious Unity Act. It also states religious teaching in schools and universities shall be carried out in accordance with the Religious Unity Act and only by those authorized by the government to teach Islam.

The new law authorizes the government to cut off live feeds and/or suspend a station’s license if it broadcasts content that violates its provisions. Publications, including websites, carrying “defamatory” comments may also have their licenses revoked. The new law specifies fines for defamation and violating social norms ranging between 50,000 rufiyaa (\$3,305) and 2 million rufiyaa (\$132,000) and states a failure to pay the fine will result in a jail sentence of three to six months. Failure to pay the fine may also lead to the closure of newspapers and media offices. The verdicts may only be appealed after the fine is paid.

The new law states the penalty for “breaking the tenets of Islam” shall be the same as those specified under the existing penal code for “criticizing Islam,” which states a person commits an offense 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 or conversing or acting in a manner likely to cause “religious segregation.” Individuals convicted of these offenses are subject to imprisonment for up to one year. (...)

Propagation of any religion other than Islam is a criminal offense. Proselytizing to change denominations within Islam is illegal and punishable by 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 to Muslims by adherents of other religions is illegal, and the penalty is the same as for intra-Islamic proselytizing.

By law, prayer houses remain under the control of the MIA rather than the country’s island councils. The law prohibits the establishment of places of worship for non-Islamic religious groups. (...)

The constitution states Islam forms one 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.

The penal code prescribes flogging sentences for a small number of crimes, including fornication. Other sharia penalties are not specified, but the code grants judges the discretion to impose sharia penalties for hudood (serious crimes) listed in the Quran and qisas (retaliatory) offenses – including murder, apostasy, assault, theft, homosexual acts, drinking alcohol, and property damage – if proven to a standard of practical certainty. The penal code requires all appeal processes be exhausted prior to the administration of sharia punishments specific to hudood and qisas offenses, including stoning, amputation of hands, and similar punishments. (...)

During a janviery political rally held by the Progressive Party of Maldives, President Yameen stated, “We do not accept that there should be other religions in the Maldives....We do not want another faith in the Maldives.”

In janviery while speaking at an official ceremony to mark the day the country embraced Islam, Minister of Defense and National Security Adam Shareef Umar stated, “We all have to engineer ways to keep Maldives as a fully Islamic nation.” Referring to the educational standards introduced in 2015, he said teachers and parents should follow and implement the new education curriculum, saying the population needed to be “wary of secular ideals creeping into society.” (...)

Customs officials reported 18 cases during the year involving the importation of religious idols and a Christian cross. Customs stated all the cases had been closed and letters of caution would be issued to those involved as first-time offenders.

Customs officials reported they had issued a letter of caution to a work visa holder as a first-time offender involved in the importation of 207 prohibited religious books in 2015. **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 for scholarly research. The sale of religious items, such as Christmas cards, remained restricted by the ministry to the resort islands patronized by foreign tourists.** (...)

Section III. Status of Societal Respect for Religious Freedom

NGOs reported numerous instances of secularist bloggers receiving death threats, being cyberbullied, and being followed on the street by individuals with records as criminal gang members. Victims stated they felt vulnerable as a result of a lack of police responsiveness to their complaints and because similar events had preceded the 2014 disappearance of journalist Ahmed Rilwan, who had filed reports on reputed links between religious extremists and criminal gangs. (...)

NGOs said they continued to see a rise in religious radicalism and fundamentalism.»

Quelle: US Department of State (USDOS): 2016 Report on International Religious Freedom - Maldives, 15 août 2017, S. 2-4, 6-8, 10: www.state.gov/documents/organization/269180.pdf.

USDOS, 17 novembre 2010:

«On May 28, 2010, Mohamed Nazim declared himself an atheist at a public lecture given by an Islamic scholar. Nazim was assaulted by some members of the crowd and taken by the police into protective custody. A local religious NGO called for him to receive a death sentence if he did not repent. **The Ministry of Islamic Affairs reportedly sent two scholars to counsel Nazim and clarify his misconceptions about Islam. No charges were filed, and he was released on June 2, 2010, after he made a public apology and declared himself a Muslim. According to Ministry of Islamic Affairs officials, Nazim embraced Islam of his own free will.**» Quelle: USDOS, International Religious Freedom Report 2010 - Maldives, 17. November 2010: www.state.gov/j/drl/rls/irf/2010/148797.htm.