

# **MADAGASCAR 2019 INTERNATIONAL RELIGIOUS FREEDOM REPORT**

## **Executive Summary**

The constitution provides for freedom of religious thought and expression and prohibits religious discrimination in the workplace. Other laws protect individual religious beliefs against abuses by government or private actors. The government continued implementation of the nationality law passed in 2017. Muslims born in the country continued to report they were disproportionately affected by the nationality law, and despite generations of residence, some members of their community were unable to acquire the country's nationality. In particular, the nationality law failed to provide a mechanism for some children born in the country of two stateless parents to naturalize. The Ministry of the Interior registered 15 new religious groups during the year, a decrease from 49 new groups in 2018, bringing the total to a reported 373 officially registered groups. In February the government declared Eid al-Fitr and Eid al-Adha national holidays.

Members of the Muslim community and adherents of some evangelical Protestant churches reported they experienced discrimination in employment practices due to their religious affiliation. An evangelical church said local officials discriminated against it by enforcing noise restrictions that they did not apply to other religious groups.

U.S. embassy officials engaged with Ministry of the Interior officials responsible for registration of religious groups. Embassy officials met with religious leaders throughout the year and hosted a civil society discussion on religious freedom in November. They also met with human rights organizations to discuss common concerns among different religious faiths, including statelessness issues.

## **Section I. Religious Demography**

The U.S. government estimates the total population at 26.3 million (midyear 2019 estimate). According to the national census in 1993, 52 percent adheres to indigenous beliefs, 41 percent is Christian, and 7 percent is Muslim. It is common to alternate between religious identities or to mix traditions, and many individuals hold a combination of indigenous and Christian or Muslim beliefs.

Muslim leaders and local scholars estimate Muslims currently constitute between 20 and 25 percent of the population. Muslims predominate in the northwestern

coastal areas, and Christians predominate in the highlands. According to local Muslim religious leaders and secular academics, the majority of Muslims are Sunni. Citizens of ethnic Indian and Pakistani descent and Comorian immigrants represent the majority of Muslims, although there are a growing number of ethnic Malagasy converts.

Local religious groups state nearly half of the population is Christian. The four principal Christian groups are Roman Catholics, Lutherans, Anglicans, and the Presbyterian Church of Jesus Christ in Madagascar (FJKM Church). Smaller Christian groups include The Church of Jesus Christ of Latter-day Saints, Jehovah's Witnesses, Seventh-day Adventists, and a growing number of local evangelical Protestant denominations.

There are small numbers of Hindus and Jews in the country.

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

### **Legal Framework**

The constitution provides for freedom of religious thought and expression and prohibits religious discrimination in the workplace. Other laws protect individual religious beliefs against abuses by government or private actors. The constitution states that such rights may be limited by the need to protect the rights of others or to preserve public order, national dignity, or state security. The labor code prohibits religious discrimination in labor unions and professional associations.

The law requires religious groups to register with the Ministry of the Interior. By registering, a religious group receives the legal status necessary to receive direct bequests and other donations. Once registered, the group may apply for a tax exemption each time it receives a gift from abroad. Registered religious groups also have the right to acquire land from individuals to build places of worship; however, the law states landowners should first cede the land back to the state, after which the state will then transfer it to the religious group. To qualify for registration, a group must have at least 100 members and an elected administrative council of no more than nine members, all of whom must be citizens.

Groups failing to meet registration requirements may instead register as "simple associations." Simple associations may not receive donations or hold religious services, but the law allows them to conduct various types of community and social projects. Associations engaging in dangerous or destabilizing activities may

be disbanded or have their registration withdrawn. Simple associations must apply for a tax exemption each time they receive a donation from abroad. If an association has foreign leadership and/or members, it may form an association “reputed to be foreign.” An association is reputed to be foreign only if the leader or members of the board include foreign nationals. Such foreign associations may receive only temporary authorizations, subject to periodic renewal and other conditions. The law does not prohibit national associations from having foreign nationals as members.

Public schools do not offer religious education. There is no law prohibiting or limiting religious education in public or private schools.

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

The country is a party to the International Covenant on Civil and Political Rights.

### **Government Practices**

According to Muslim leaders, nationality determination issues continued to affect the Muslim community members, but to a lesser extent than in previous years. The code of nationality promulgated in 2017 did not address the problem of children born of two stateless parents. These individuals remained unable to obtain citizenship, even after several generations of residence in the country. Under the nationality code, children with unknown parentage are to be evaluated based on appearance, ethnicity, and other factors. The 2017 changes in the code, however, allow mothers to confer nationality on their children, which Muslim leaders said appeared to ease the nationality determination problem somewhat. Muslim leaders continued to state the law affected the Muslim community disproportionately, since many members are descendants of immigrants and are unable to acquire citizenship, despite generations of residence in the country. Children of ethnic Indian, Pakistani, and Comorian descent often had difficulty obtaining citizenship, leaving a disproportionate number of Muslims stateless. A 2014 study estimated that approximately 6 percent of individuals in the communities surveyed were stateless and of this number, more than 85 percent were born in the country.

The government issued a decree in February declaring Eid al-Fitr and Eid al-Adha as national holidays. In previous years, only Muslims were granted paid leave on these holidays. At the request of the Muslim community, the government changed

the date of the Eid al-Fitr holiday from June 4 to June 5 to align with the sighting of the new moon.

In September Antananarivo city officials ordered the temporary closing of the *Vahao ny Oloko* (Release my People) evangelical Christian Church due to what it stated were complaints from neighbors of excessive noise throughout the day and at night. After a site visit in October, officials allowed the partial reopening of the church on Saturdays and Wednesdays. Church leaders said city officials restricted their freedom of religion by preventing them from supporting church members through constant prayer and that they had taken steps to reduce noise levels, such as improving sound proofing and ceasing night prayers. Church leaders stated the local government discriminated against their community, noting that officials did not restrict the activities of other religious groups whose worship activities also produced noise outside their premises, such as worship services accompanied by ringing bells.

The Ministry of the Interior registered 15 new religious groups during the year, a decrease from 49 new groups the previous year, bringing the total to a reported 373 officially registered groups. Religious groups stated the government did not always enforce registration requirements and did not deny requests for registration. In addition, the government acknowledged that some registered groups may have become inactive or had dissolved without informing the government.

Religious leaders continued to state that inadequate government enforcement of labor laws resulted in some employers requiring their employees to work during religious services. Faith-based social centers receiving vulnerable workers and labor unions continued to report that employers failed to respect the labor code provisions requiring a 24-hour break weekly, which affected factory workers' ability to attend worship services.

The leadership of the Muslim Malagasy Association, which states it represents all Muslims in the country, reported some Muslims continued to encounter difficulty obtaining official documents, such as national identity cards and passports, because of their Arabic-sounding names.

State-run Malagasy National Television continued to provide free broadcasting to the Seventh-day Adventist Church and to Catholics, Lutherans, Anglicans, and Presbyterians on weekends, along with the Muslim community once a week. During Ramadan, the Muslim community was able to purchase additional broadcast time. The leader of a well-known local evangelical Protestant church

again reported his church rarely received access to the state-run television and radio, even if it agreed to pay for the broadcast time.

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

Leaders of the Muslim Malagasy Association reported the public generally associated them with Islamists and extremists, in addition to labeling them with other negative stereotypes. They said Muslim children, especially girls, were often the object of teasing by their schoolmates and teachers who nicknamed them “young terrorists” or “witches.”

Adherents of some evangelical Protestant churches, especially those celebrating their Sabbath on a Saturday, stated they were sometimes denied access to employment and believed it was due to their religious affiliation. A leader of an evangelical church in Antananarivo stated that some members had been dismissed by their employers for missing work to attend Saturday religious worship. The leader said several female members were victims of violence by husbands who did not agree with their wives’ religious beliefs.

Leaders of the Muslim Malagasy Association reported that due to the last-minute change in the date of the official observance of Eid al-Fitr, some employers did not grant leave to Muslims. Muslim leaders also said some private sector employers did not promote Muslim women because their manner of dress was not consistent with high-ranked positions. Muslim leaders also said Muslim women and girls felt humiliated when they were obliged to remove their headscarves in some schools, at bank ATMs, and when taking pictures for identity cards or passports.

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

Embassy officials met with Ministry of the Interior officials in November to discuss concerns from the Muslim community over nationality determination issues. Also in November the embassy hosted a discussion on religious freedom issues that was attended by religious and civil society representatives. Participants identified common actions to promote fundamental rights related to religious freedom and establish new avenues of interfaith collaboration. Embassy officials also met with human rights organizations to discuss common concerns among different religious faiths, including statelessness issues.