**UNOFFICIAL TRANSLATION**

**Regulation No: R-40/2011**

**Regulation on protection of religious unity among Maldivian citizens**

***Introduction and name:***

1. This Regulation has been compiled under Clause 7 of Law No: 6/94 (Religious Unity Act) to implement the actions as stipulated by that Act’s Clause 2 (a), Clause 3 and Clause 4.

***Permission on religious (Islamic) sermons and lectures and dissemination of information on religious (Islamic) principles:***

1. (a) Delivery of sermons and explanation of religious (Islamic) principles in public shall be carried out by persons permitted by the Ministry of Islamic Affairs.

(b) The permission mentioned in Clause 2 (a) shall be given to persons who meet the following criteria:

I) He/she has to be a Muslim.

II) A person who has achieved a First Degree or above from a University/College/Center acceptable to the Ministry of Islamic Affairs.

III) If convicted of an offence under Law No: 6/94 (Religious Unity Act), 3 years should have passed since the completion of the sentence, or since the sentence has been pardoned.

(c) A list of the approved institutions as mentioned in Clause 2 (b) (III) is attached in Annex 1 at the time of publication of this Regulation. If for any reason changes are brought to the list, such changes shall be continued to be published in the Government Gazette.

(d) Although such criteria as mentioned in Clause 2 are not met, the permission mentioned in Clause 1 will be given to persons decided by the Ministry of Islamic Affairs from among those who has had experience in explaining Islamic principles in the Maldives and those who have gained experience in working in the service of religion (Islam).

(e ) Although Clause 2 (a) has been defined like that, scholarly talk and scholarly writings in dissemination of information about various disciplines, studies and debates on social issues, by persons who have achieved higher education in various disciplines while explaining issues in accordance with Islamic principles, is exempt from the criteria defined by Clause 2 (a).

***Delivering religious (Islamic) sermons in the Maldives by foreigners:***

1. (a) Foreigners can come and deliver religious (Islamic) sermons, religious advice and engage in religious talk (discussions) after obtaining the permission stipulated in Clause 2, and in accordance within the principles outlined in Clause 5.

(b) When foreigners engage in religious (Islamic) sermons in the Maldives, they should not talk against Maldives’ social norms, nor should they criticize Maldives’ domestic policies and laws.

***Maintaining Islamic character when delivering religious sermons and religious discussions:***

1. (a) Whether a Maldivian or a foreigner, religious sermons and explanation of religious principles in the Maldives should be carried out in accordance with maintenance of the country’s Islamic character and in a way that does not contradict Islamic belief.

(b) Whether a Maldivian or a foreigner, when engaging in religious (Islamic) sermons and giving religious talk and advice in the Maldives, it is illegal to propagate any other religion other than Islam.

***General principles regarding explanation of religious principles and delivery of religious sermons:***

1. When explaining Islamic precepts and when delivering religious sermons or advice, the person must act in accordance with below mentioned principles. If these principles are violated, it shall be deemed that the person has acted against Clause 4 of Law No: 6/94 (Religious Unity Act) and shall be prosecuted and punishment delivered as stipulated by that Act.
2. Not engage in talk that contradicts anything mentioned in the Koran; and if referring to anything in the Koran, making it clear to the audience that the reference has been made as it is found in the Koran.
3. Not engage in talk against the Sunnah (actions) of the Prophet (Mohamed); and when explaining the Prophet’s Hadith (sayings), adhering to general principles regarding the science of Hadith, describing their authenticity or not when referring to any particular Hadith, and making it expressly clear to the listening audience.
4. Not express anything against the general agreement reached among Islamic scholars.
5. Talk and discuss in accordance with the Maldives’ religious and social character.
6. Information disseminated should not be information about issues disputed among Islamic scholars that serves to create disunity among the people and result in internal conflicts.
7. Not engage in any talk that may create hatred and anger among the people, nor disseminate any information that incites to violence of any kind.
8. Not engage in any talk that may be interpreted as racial and gender discrimination, nor prevent people from education or health services in the name of Islam.
9. When explaining issues contested among scholars, clearly explaining each scholar’s individual stand on the contested issue; and if the licensed preacher takes a personal side on the issue, clearly explaining to his/her audience why and based on what criteria and evidence he/she is basing his/her personal judgment on that particular issue.
10. When addressing an issue not reached consensus among (prominent) Islamic scholars, refraining from passing off as Islam one’s personal stand - that may result in obstruction of human progress and development and hinder modern findings and intellectual advancements.
11. If talking about an issue disputed by Islamic scholars and if taking a personal stand with regard to that issue, explaining clearly to the audience that the issue is contested among Islamic scholars and explaining the issue in relevance to the Maldives’ Islamic character and taking the stand which is agreed upon by Jumhoor Islamic scholars.
12. Even when talking about an issue contradicted by Islamic scholars, explaining the Shaz agreement, and not talking in a way that subscribes to that view.
13. Not engage in talk that flaunts human dignity, demeans the character or create hatred towards people of any religion.

***Propagation of any religion other than Islam:***

1. It is 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 display in public any symbols or slogans belonging to any religion other than Islam, or creating interest in such articles.

***Translation of books on other religions into Dhivehi and distribution of such:***

1. (a) It is illegal in the Maldives to carry or display in public books on other religions (other than Islam) and books and writings that promote and propagate other religions, and the translation into Dhivehi language such books and writings on other religions.

(b) Exempt from Clause 7 (a) shall be 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.

***Offending Islamic slogans or actions that offend as such:***

1. Engaging in talk or depicting in drawings (art) or expression of any other kind that involve indecent sayings about Allah or his Prophets or his Messengers and attributing undesirable attributes that will reduce respect for them are illegal.

***Non-Muslims’ expression of their religious slogans and conducting of their religious activities:***

1. It is illegal for non-Muslims living in the Maldives and non-Muslims visiting the Maldives to express their religious slogans in a way such action is carried out widely in public, and conducting such religious activities by forming groups and conducting such activities in public places and engaging any Maldivian in their activities of such kind.

***Telecasting, broadcasting and publication of programs that can potentially create religious (Islamic) divisions in the Maldives:***

1. (a) It is illegal for any licensed telecaster or broadcaster in the Maldives to produce and publicize programs or engage in talk or disseminate audio that humiliates Allah or his prophets or the holy Koran or the Sunnah of the Prophet (Mohamed) or the Islamic faith. And it is illegal to possess, distribute or publicize programs, writings, artworks and advertisements on religions other than Islam.

(b) In accordance with Clause 10 (a) this also includes the broadcasting of such material (on other religions) produced by others and recording of such programs by the local broadcaster and broadcasting such material by the unilateral decision of the local broadcaster.

***Revoking of permission:***

1. (a) The Ministry of Islamic Affairs has the right to revoke and temporarily hold the license of any licensed preacher if substantial evidence that is acceptable to the Ministry has been obtained by the Ministry which finds him/her having acted in contravention of this Regulation until such time a court passes a verdict on his/her actions.

(b) The license given to any preacher can be revoked if a court passes a verdict that the preacher has acted in contravention to Law No. 6/94 (Religious Unity Act) and this Regulation.

***Punishment:***

1. (a) It is illegal to preach, deliver (Islamic) sermons and explain religious (Islamic) principles in contradiction to this Regulation. And if any person commits any such offence, he/she shall be punished as stipulated by Law No: 6/94 (Religious Unity Act). And if it is a foreigner, his/her license to preach in the Maldives shall be revoked, and will be handed over to the Department of Immigration and Emigration for deportation.

(b) It is also illegal to publicize in the Maldives slogans of other religions (other than Islam) unless in accordance to the requirements of this Regulation. Any such offending person shall also be punished in accordance with Law No: 6/94 (Religious Unity Act). And if the offending person is a foreigner, he/she shall be handed over to the Department of Immigration and Emigration for deportation.

**ANNEX 1**

***List of universities/colleges/centers accepted by the Ministry of Islamic Affairs in relation to the requirements of Clause 2 (c):***

1. Al-Azhar University – Cairo, Egypt
2. Jaamiaath Ainu-al-Shams – Cairo, Egypt
3. Jaamiathul Gahira – Cairo, Egypt
4. Jaamiaa Dhaarul Uloom Mohamediyya – Maalegaun, India
5. Al-Jaamiaa Al-Islamiyya – Madras, India
6. Jaamiathul Falaahuddhaarain – Tarkeshwar, India
7. Jaamiaa Islamiyya – Daabeel, India
8. Jaamiaa Dhaarul Uloom – Barooch, India
9. Jaamiaa Dhaarus-Salaam – Umar Abad, India
10. Jaamiaa Dhaarul Uloom – Dheubandhu, India
11. Jaamiaa Dhaarul Uloom Nadhuvarul-Ulamaa – Lucknow, India
12. Kuwait University – Kuwait
13. Jaamiath Qaaree Yoonus – Tripoli, Libya
14. International Islamic University – Kuala Lumpur, Malaysia
15. University Melayu – Kuala Lumpur, Malaysia
16. Al-Ahmed Al-Alaamy Lil-Fikr Wal-Haloaraa Islamiyya – Kuala Lumpur, Malaysia
17. International Islamic University – Islamabad, Pakistan
18. Mauhad Imam Maudhoodhy – Lahore, Pakistan
19. Mauhadul-Imam Aby Haneefaa – Karachi, Pakistan
20. Dhaarul-Uloom Al-Qaariyyaa – Karachi, Pakistan
21. Jaamiaa Mohamediyya – Ukaalhaa, Pakistan
22. Jaamiaa Salafiyyaa – Faisal Abad, Pakistan
23. Jaamiaa Thauleemaath Islamiyya – Faisal Abad, Pakistan
24. Jaamiaa Aby-Bakr – Karachi, Pakistan
25. Jaamiaa Ashrafiyya – Lahore, Pakistan
26. Jaamiaa Dhaarul-Uloom Bin Noori – Karachi, Pakistan
27. Qatar University – Doha, Qatar
28. King Saud University – Riyad, Saudi Arabia
29. Ummul-Quraa University – Riyad, Saudi Arabia
30. Al-Imam Mohamed Bin Saud University – Riyaz, Saudi Arabia
31. Islamic University – Medina, Saudi Arabia
32. King Abdul Aziz University – Jeddah, Saudi Arabia
33. Dhaarul-Uloom Zakariyya – South Africa
34. Islamic Da’wah Academy – Britain
35. U.A.E University – United Arab Emirates
36. Jaamiaa Yemeniyya – Yemen