



**Convention on the Rights
of Persons with Disabilities**

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Committee on the Rights of Persons with Disabilities

**Initial report submitted by Maldives under article
35 of the Convention, due in 2012***


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Abbreviations

ACC	Anti-corruption Commission
ADHD	Attention Deficit Hyperactivity Disorder
APDC	Asian Disaster Preparedness Centre
CAN DO	Child Advocacy Network of Disability Organization
CBR	Committee Based Rehabilitation
CRC	Convention on the Rights of the Child
CRPD	Committee on the Rights of Persons with Disabilities
DNR	Department of National Registration
DPOs	Disabled Persons' Organizations
FCSCs	Family and Children Service Centers
HPA	Health Protection Agency
HPSN	Home for Persons with Special Needs
HRCM	Human Rights Commission of the Maldives
ICCPR	International Covenant on Civil and Political Rights
ICESCR	International Covenant on Economic, Social and Cultural Rights
IEP	Individual Education Plan
IGMH	Indhira Gandhi Memorial Hospital
JSE	Judicial Service Commission
LGA	Local Government Authority
MAPD	Maldives Association for Physical Disabilities
MGF	Ministry of Gender and Family
MTCC	Maldives Transport and Contracting Company
NDMC	Disaster Management Centre
NGOs	Non-governmental Organizations
NIC	National Integrity Commission
NIE	National Institute of Education
NPM	National Preventive Mechanism
NSPA	National Social Protection Agency
OPCAT	Optional Protocol to the Convention Against Torture
PMDS	Procedure Manual on Delivery Services
SEN	Special Education Needs
UNDP	United Nations Development Programs
UNICEF	United Nations International Children's Emergency Fund
UNISDR	United Nations International Strategy for Disaster Reduction

I. Introduction

1. The Maldives Government is pleased to present to the Committee on the Rights of Persons with Disabilities, Maldives's Initial Report under the Convention on the Rights of Persons with Disabilities (hereinafter referred to as the "Convention"). The Maldives signed the Convention on 2 October 2007 and ratified the Convention on 5 April 2010.
2. The Maldives is an archipelago of 1,192 small islands located in the Indian Ocean. According to the last census conducted in the country in 2014 the total population of the country stands at 341,256, with 168,084 females and 173,172 males. Life expectancy at birth is calculated at 74.8 years for females and 73 years for males. As with most developing nations, the Maldives has a significantly young population. As per Census of 2014, 20.64% of the population of the country is aged between 15 and 24.
3. Constitution of the Maldives, ratified in 2008, establishes a foundation of a modern democracy with the separation of the three powers: the executive, legislature and judiciary. Chapter Two of the Constitution also provides for the fundamental rights and freedoms in the country, that are contained, inter-alia, in the International Covenant on Economic, Social and Cultural Rights (ICESCR) and the International Covenant on Civil and Political Rights (ICCPR).
4. Several statutory bodies for the oversight of Government have been established since the 2008 Constitution, such as the National Human Rights Commission of the Maldives (HRCM), Anti-Corruption Commission (ACC) and the National Integrity Commission (NIC). In addition, the Constitution enshrines mechanisms for checks and balances through the establishment of an independent Auditor General, Prosecutor General and Judicial Services Commission (JSC). Local bodies such as Island, City and Atoll Councils, as well as the Local Government Authority (LGA) have been established after the Decentralisation Act of 2010, to monitor and guide the decentralised administration of government.
5. There is an active civil society in the country lobbying and advocating for various rights and freedoms in respective areas. In this regard, there is a significant presence of Non-Governmental Organizations (NGOs), presently active in working towards specialized disabilities, and in general for the promotion and protection of rights of persons with disabilities in the country.
6. This report hereby provides up to date information on the implementation of the Convention rights in the Maldives, and explains the state party laws, policies and challenges in ensuring the rights of persons with disabilities. It also demonstrates the Government's dedication and efforts to ensure persons with disabilities in the Maldives, are able to fully enjoy human rights, on an equal basis with others, in accordance with the Convention.

Preparation and Structure of the Report

7. This report has been prepared in accordance with the Committee's Guidelines on treaty-specific document to be submitted by states parties under article 35, paragraph 1, of the Convention on the Rights of Persons with Disabilities and the Harmonized Guidelines on reporting under the international human rights treaties.
8. The report covers the period from 2010 to 2018 May, and was prepared after desk reviews on relevant available literature prepared by international organisations, Government agencies, national human rights institutions, civil society and in consultation with all relevant stakeholders. A full list of stakeholders is provided in Annex 1 of this Report.

Consultations with Stakeholders, Non-Governmental Organizations (NGOs) and Disabled Persons' Organizations (DPOs)

9. Several consultations were held with stakeholders including all relevant government ministries, State institutions, the National Disability Council and independent commissions including HRCM, and NGOs and DPOs, working in the area of protecting the rights of persons with disabilities. The Government also sought views of these organizations and bodies at various stages of the drafting process.

10. The report thereby, has been revised to reflect the suggestions made, and issues highlighted by the stakeholders during the consultations.

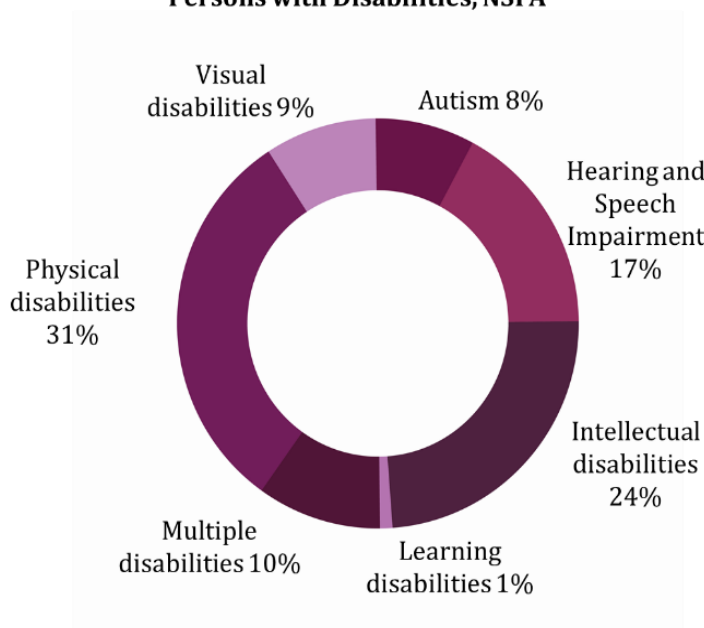
II. General Provisions of the Convention

Articles 1 to 4

11. Persons with disabilities face considerable challenges in the Maldives in achieving their most basic rights, including health, education and employment. Major institutions and systems in the country have only recently started modifying its service provisions to cater to the disability community. Maldives is committed to removing barriers faced by persons with disabilities and ensure equality and fundamental rights to all persons with disabilities on an equal basis with the others.

Disability in the Maldives

Figure 12.1: Proportion of Each Disability on the National Registry of Persons with Disabilities, NSPA



12. The National Social Protection Agency (NSPA) maintains a national registry of persons who voluntarily register with the agency in order to access financial assistance from the State, i.e., “disability allowance”. At the end of 2018 May, this registry (see Annex 2) had a total of 7165 persons, 4109 males and 3056 females. This registry indicates that the majority of the persons seeking a disability allowance in the Maldives are persons with physical disabilities. The following figure shows the proportion of each disability on the national registry of persons with disabilities. A detailed table, of persons with disabilities, disaggregated by sex, region and type of disability, has been provided in Annex 4 of this Report.

13. While this registry fulfills the legal requirement established under the Law on the “Protection of the Rights of Persons with Disabilities and Provision of Financial Assistance (Law No. 8/2010),” hereinafter referred to as the Disabilities Act, the Maldives is yet to establish a comprehensive national registry of persons with disabilities. The Government is committed to conduct a national survey, and produce a national registry of persons with disabilities, which will further guarantee the rights of persons with disabilities in the Maldives.

Anti-Discrimination Legislation

14. The Constitution of the Maldives protects and promotes the rights of persons with disabilities and ensures equal treatment of all its citizens. As such, under Article 17(a), everyone including those with mental or physical disability, is entitled to the rights and freedoms included in the Constitution without discrimination of any kind. Article 17(b) stipulates that “special assistance or protection to disadvantaged individuals or groups, or to groups requiring special social assistance, as provided in law shall not be deemed to be discrimination”. In addition, Article 35 (a) and (b) of the Constitution states that children, elderly and disadvantaged persons are entitled to protection and special assistance from the family, the community and the State.

15. Furthermore, Section 1102 (2) (i) of the Penal Code allows baseline sentences to be aggravated at least by one level, for any offences, committed against persons with a mental or physical disability.

Disability Specific Legislation

16. In 2010, the Maldives enacted its issue specific legislation on the matter; the Disabilities Act (Law No. 08/2010), further reinforcing the constitutional rights. The overall objective of the Disabilities Act is to safeguard the rights of persons with disabilities and to provide financial assistance. The State has to ensure that this Act is implemented, and to penalize those found guilty of discriminating against and violating the rights of any person with disability.

Definition of Disability in the Maldives

17. Section 14 (a) of the Disabilities Act defines persons with disabilities as those: “having long-term physical, mental, intellectual or sensory impairments, which in interaction with various barriers may hinder their full and effective participation in society, on an equal basis with others.”

National Policy Frameworks for Persons with Disabilities

18. Protection and empowerment of persons with disabilities falls under mandate of the Ministry of Gender and Family (MGF). In accordance to the mandate of the Ministry, the functions specific to persons with disabilities are:

- (a) Planning, monitoring and acquiring resources for the implementation of policies relevant to the protection of persons with disabilities;
- (b) Increasing the participation of persons with disabilities in political, economic and social development of the Maldives, and strengthen the role of civil society organizations working for the rights of persons with disabilities;
- (c) Ensure social protection for persons with disabilities;
- (d) Coordinating with relevant state institutions and conducting social protection programmes in partnership with the State and civil society organizations at atoll and island level, with a view to protecting and promoting the rights of persons with disabilities;
- (e) Coordinating with relevant authorities to protect persons with disabilities, and identifying emerging issues and work towards solutions to address such issues;
- (f) Creating public awareness on safeguarding the rights of persons with disabilities;

(g) Establishing procedural guidelines and coordinating with relevant stakeholders to provide social protection to persons with disabilities suffering from various forms of abuse; and

(h) Establishing State care institutions to provide protection and services for vulnerable persons with disabilities or facilitate and monitor the provision of services through private organizations.

19. The Disabilities Act also established a Disability Council, to monitor the implementation of the law, policies, and programmes, relating to persons with disabilities.

20. HRCM also plays a role in promoting the rights of persons with disabilities whilst monitoring the implementation of the CRPD, as well as the State's implementation of the Constitution and national legislation and policies related to persons with disabilities.

III. Specific Convention Provisions

Article 5 Equality and Non-Discrimination

21. The Government of Maldives is fully committed to promoting, protecting and ensuring the full and equal enjoyment of human rights and fundamental freedoms of all persons including persons with disabilities, and as such, has been working on the elimination of discriminatory laws, policies and practices, as well as the development of proactive policies for achieving equality for persons with disabilities.

22. Constitutional guarantees are provided under Article 17 (a) which specifies that everyone including those with mental or physical disabilities are entitled to the rights and freedoms included in the Constitution without discrimination of any kind. In addition, Article 17 (b) stipulates that special assistance or protection to disadvantaged individuals or groups, or to groups requiring special social assistance, as provided in law shall not be deemed discriminatory. This provision provides the constitutional basis to take affirmative steps to promote and protect the rights of persons with disabilities. Article 35 (a) of the Constitution provides for special protection and special assistance to children and young people from the family, the community and the State.

23. These are further reinforced within other specific legislation, such as the Disabilities Act, which prohibits any form of discrimination based on disability and guarantees the rights afforded to persons with disabilities. Under this law, persons with disabilities registered in the disability database receive a special disability allowance of monthly MVR 2000 (USD 129.70). Moreover, by mandating the State to fully abide by the Convention and all the Agreements on the rights of persons with disabilities that are ratified by the State, the Act also incorporates the Convention into national law in the Maldives.

24. Section 6 of the Child Rights Protection Act (Law No. 9/91) also states that treatment and care of mentally or physically disabled children must be facilitated to the extent possible, and that efforts must be made to enable such children to participate in the activities of the community by providing the special care and assistance required by children.

25. In the Maldives, the principle of equality and non-discrimination regulated within the scope of the Constitution and other related laws form the basis of disability policies in place.

26. The Government is also taking initiative to introduce affirmative measures to ensure the rights of persons with disabilities. In 2016, the Government introduced a housing scheme to provide social housing at affordable prices. The Government also made a policy decision to allocate extra points for all applications for housing made by persons with disabilities under this programme. Since then, 167 flats have been awarded to persons with disabilities.

27. MGF regularly conducts empowerment programmes for persons with disabilities, and awareness-raising activities to build the capacity of public officials, with a key focus on service providers. In 2017, MGF initiated basic and advanced sign language training programmes to facilitate communication between persons with hearing and speech impairments and service providers. MGF has trained over 270 persons in these programmes.

28. The Government has provided 267 job opportunities for persons with disabilities by the end of 2017. Currently, the MGF works closely with all employers to ensure the rights of persons with disabilities working in these organizations and raise awareness on the issues of mutual importance.

Article 8

Awareness Raising

29. In order to inform the public and persons with disabilities, the State conducts various awareness raising activities on the rights of persons with disabilities enshrined in the Constitution, relevant domestic legislation and the Convention.

30. MGF marks the International Day of Persons with Disabilities every year. For instance, in 2013, the Ministry in collaboration with the National Disability Council and local NGOs organised a walk to mark the International Day of Persons with Disabilities. Many schools, government and private organisations took part in this walk in Male' with message boards to create awareness. MGF organised a national exhibition "Redhan" to mark the international day in 2015, and showcased the creativity of persons with disabilities in areas such as arts and craft, baking, cooking and jewellery making. The exhibition being visited by over 2000 people, was a huge success, and provided a platform for persons with disabilities to not only demonstrate talent and capabilities, but also to market their own products.

31. Local NGOs also mark the international day annually. Disability-focused NGOs such as Maldives Autism Association, Beautiful Eyes Down Syndrome Association of Maldives (hereinafter referred to as "Beautiful Eyes"), Blind and Visually Impaired Society of Maldives, Care Society, Maldives Association of Physical Disabilities and Maldives Deaf Association also mark international days assigned for different disabilities to raise awareness and to promote the rights of persons with disabilities, including awareness raising workshops and distributions of leaflets, media appearances and social media campaigns.

32. Since 2012, the Government of the Maldives has been giving a national award to recognize the outstanding achievement of persons with disabilities, and to acknowledge and recognize the work of individuals and institutions working to protect and promote the rights of persons with disabilities. To date, 42 awards have been granted to individuals and entities, in three ceremonies. A full table of awardees, and the work for which they have been recognized by the State is provided in Annex 3.

33. MGF appoints goodwill ambassadors to work for the promotion of rights and protection of persons with disabilities. The first three ambassadors were appointed in December 2014 for a period of two years. In 2017, MGF appointed three new goodwill ambassadors who currently assist the government in its efforts to protect and advance the rights of persons with disabilities, identify challenges, support families of persons with disabilities, and raise awareness amongst stakeholders and within the community.

34. MGF engages with all local media to appear on TV and radio shows, to raise awareness on disabilities, and also to share information on Ministry programs on the national disability agenda. Maldives Association for Physical Disabilities (MAPD) and Child Advocacy Network of Disability Organizations (CAN DO) has both produced radio shows and panel discussions focusing on rights of persons with disabilities. Awareness spots on the rights of persons with disabilities, currently used by the media, were also produced with the assistance of the United Nations Development Programme (UNDP) Maldives and Care Society (in association with UNICEF Maldives).

35. HRCM conducts regular awareness activities on the rights of persons with disabilities, including having segments on the issue radio show “Haqquge Vaahaka”, aired weekly on the State radio. A national inquiry on access to education for children with disabilities was conducted by HRCM in 2013 and 2014, covering 10 atolls and Male’. Awareness raising activities were conducted in the islands as part of this inquiry, which also produced posters, leaflets and videos for dissemination. Information sessions and focus group discussions were also conducted for parents, teachers, students and institutions under this programme. During these public forums, persons with disabilities, their parents, representatives from local councils, health facilities, police stations, Family and Children Service Centers (FCSCs), relevant ministries and civil society, shared their concerns on challenges for persons with disabilities to access their right to education.

Article 9

Accessibility

36. Persons with disabilities face significant challenges with physical accessibility and also in accessing services. The State however, is committed to introduce all necessary measures, to enable and improve accessibility for persons with disabilities.

37. Disabilities Act stipulates that all state buildings should be accessible to persons in wheelchairs. As mandated under the Act, a Regulation on the Minimum Standards for Accessibility has been formulated. This regulation covers both physical accessibility as well as accessibility to information. The regulation also provides minimum standards on professionals catering to persons with disabilities in places such as hospitals and schools. Despite the regulation mandating that the existing buildings be brought up to standards in 8 months and that new buildings be made accessible as per the minimum standards, a greater effort is needed to implement this regulation.

38. In addition, the Disability Policy also further stipulates the rights to accessibility. For instance, Disability Policy notes that State shall ensure that all information disseminated for the community, especially those relevant for persons with disabilities must be made accessible. It also states that building codes must be compatible to needs of persons with disabilities. It establishes that by 2020 all public buildings shall be accessible for all persons with disabilities.

39. Furthermore, in 2017 Maldives enacted a Construction Act (4/2017), under which a Building Code will be enacted. The Building Code is currently at it’s the final stages of endorsement.

40. The Ministry of Housing and Infrastructure developed a guideline for planning buildings which provides services in the Male’ region and has clauses to ensure accessibility. Infrastructure or building projects for the atolls above the value of MVR 5 million requires approval from the Housing Ministry, where they are vetted for compliance for standards including those of accessibility. There is also a requirement for building projects to assign an independent consultant who ensures that the guidelines are adhered to.

41. However, service-providing buildings such as schools and hospitals built prior to the guideline; do not have acceptable accessibility options for persons with disabilities. In some instances, efforts are made to overcome these challenges, such as moving classes with students with disabilities to the ground floor. Nevertheless, difficulties in accessing other facilities such as laboratories and libraries in higher floors still exist. Alternatives are needed to ensure accessibility in such facilities, and further stringent monitoring is essential, to enforce the accessibility guidelines.

42. Furthermore, it also establishes that transport facilities such as ferry terminals, airports, roads as well as vessels used in public sea transport must be made accessible as per a separate regulation to be enacted by the relevant authority.

43. Front rows of the sitting areas of ferry terminals as well as public ferries are also designated for persons with disabilities along with other special needs groups. However, at times the rules are poorly enforced by staff at the terminals and ferries.

44. Public transport on the land is at its infant stages, with a few exceptions such as newly developed Hulhumale', a suburb of Male' City. With the newly built bridge connecting Male', the international airport and Hulhumale', persons with disabilities living in the greater Male' region can now use taxis for easy transport, as opposed to using sea transport. While policy envisages that taxi drivers are not allowed to levy additional fees for passengers on wheelchairs and/or other such items belonging to persons with disabilities, cases of discrimination are not uncommon although such incidents are not reported to authorities.

45. Buses in Hulhumale' are wheelchair accessible allowing persons to embark and disembark, however there have been reports that bus drivers do not use the mechanism and so further monitoring of these services and training of bus drivers are needed. Most island harbours do not have the facilities to enable boarding and disembarking for wheelchair bound persons, and they have to be carried into and out of boats.

46. Some institutions provide special provisions to enable accessibility to their services. For instance, Department of National Registration (DNR) visits persons with disabilities at their private residences, to take fingerprints and photographs for the National Identity Cards. Island Councils can also send photographs and fingerprints of persons with disabilities in their respective islands to DNR to obtain identity cards. Maldives Immigration also provides similar services, with home visits to obtain the necessary information and fingerprints to make their passports. Persons with disabilities are also able to get service without having to queue.

47. Streets of Male' city and other larger islands are being re-paved with disability access, including Majeedhee Magu, main road of the capital city. However, such access points are often blocked by parking. Hence, more enforcement and awareness are needed to make those changes meaningful for persons with disabilities.

48. Likewise, persons with disabilities do not have to wait in queue to access services from the Department of Judicial Administration.

49. The Bank of Maldives provides "dhoni banking" services where a boat visits all the islands once a month to provide withdrawal and deposit services. Persons with disabilities are not expected to queue in bank outlets. The bank has introduced debit card services to the visually impaired, after an indemnity agreement, and the customer has to be accompanied by a designated person to withdraw money. In addition, internet banking is also available presently to visually impaired customers.

50. MGF regularly conducts empowerment programmes for persons with disabilities, and awareness-raising activities to build the capacity of public officials. MGF's basic and advanced sign language training programmes has trained over 270 persons to date.

Article 10

Right to Life

51. The Maldives Constitution guarantees, every Maldivian citizen, an equal right to life. Persons with disabilities are not subjected to arbitrary deprivation of life in the Maldives.

52. Under Section 1102 (Aggravation for Special Harms) (2) (i) of the Penal Code, if the victim is a person with an intellectual or physical disability or illness, the baseline sentence will be aggravated by one level.

Article 11

Situation of Risk and Humanitarian Emergencies

53. Following the Indian Ocean Tsunami, a National Disaster Management Centre (NDMC) was established on 26 December 2004, to facilitate immediate response, coordination and relief, making disaster preparedness a national priority. Whilst NDMC works towards implementing systems to coordinate and monitor disaster risk reduction

activities in a centralized manner, they also work with civil society to increase the safety of vulnerable groups such as persons with disabilities.

54. Furthermore, Section 28 of Disabilities Act requires that risk reduction plans in national emergencies and disasters give special consideration to persons with disabilities and requires the formulation of evacuation and protection plans for persons with disabilities in such situations. NDMC has been providing technical guidance to formulate community-based disaster management and response plans in 56 islands. Under these plans and guidelines, consideration is given in the usage of alerts in cases of disaster that can be identified by persons with disabilities.

55. NDMC also has a handbook for trainers, on increasing the resilience of persons with disabilities to disaster management and response, and all standards and guidelines for the planning and implementation process include provisions for persons with disabilities. The handbook is in final draft stage, and awaiting endorsement.

56. Much of the work at NDMC is made possible through its partnership with international technical bodies and donor agencies such as UNDP, UNICEF, UNISDR and the Asian Disaster Preparedness Center (ADPC).

Article 12

Equal Recognition before the Law

57. Under Article 20 of the Constitution, every individual, including persons with disabilities, is equal before and under the law, and has the right to the equal protection and equal benefit of the law. The Constitution also guarantees, in Article 35 (b), protection and special assistance from the family, community and the State, to all disadvantaged people.

58. Legal capacity to inheritance and acquisition of properties without discrimination of any kind, including mental or physical disability is guaranteed under Section 17 of the Disabilities Act. If the person with a disability is incapable of utilizing his/her assets, the guardian of a disabled person may be given the right to spend from the person's owned, inherited, endowed or gifted assets, in accordance with Islamic Shari'ah and the Maldives legal system. The guardian must exercise this right solely for the benefit of the disabled person who is under the guardian's care. Using this right in any other manner is prohibited.

59. Substituted decision-making is allowed in accessing health care, as necessary, to ensure that persons with disabilities are not denied access to proper medical treatment because of an inability to assess or communicate their needs and preferences. In cases of treatment and surgeries, information is provided to and consent is sought from the next of kin where needed.

60. The Government acknowledges the gaps in the guarantee of legal capacity to persons with disabilities, on an equal basis with others in all aspects of life, in the existing legal frameworks, and therefore, is committed to take appropriate measures to provide access by persons with disabilities to the support they may require in exercising their legal capacity, and to strengthening the legal and institutional frameworks to safeguard abuse, neglect and exploitation of Persons with disabilities in seeking consent and in substituted decision-making.

Article 13

Access to Justice

61. Ensuring access to justice is a key core component of the legal reform initiatives in the Maldives. The guarantee of access to justice in the 2008 Constitution thereby, emphasizes the right of equal access to justice for all, including members of vulnerable groups, and reaffirms the commitment to taking all necessary steps to provide fair, transparent, effective, non-discriminatory and accountable services that promote access to justice. Furthermore, any person who is unable to understand the nature and purpose of proceedings against him, or assist in his own defense due to a mental or physical condition,

will be deemed unfit to plead, stand trial, or be sentenced, under Section 62 of the Penal Code.

62. All persons, including persons with disabilities, have a general right of assistance of legal counsel under Article 53 of the Constitution, to retain and instruct legal counsel at any instance where legal assistance is required. There are no specific legal or judicial provisions to legal representation and legal aid for persons with disabilities. However, the State must ensure “special protection” to all disadvantaged persons under Article 35 of the Constitution.

63. There is no formal mechanism to cater to various disabilities in the justice sector, such as the provision of interpreters. However, both the legal system and the judiciary, as a matter of general procedure, provides sign-language interpreter services, to persons with hearing and speaking impairments in both investigative and trial phases.

64. Not all courts in the Maldives are accessible to persons with disabilities. The Superior Courts in Male’ are housed in old buildings built prior to the current building codes, and therefore poses significant challenges for persons with physical disabilities. The High Court and the Supreme Court buildings are accessible. The Magistrate Courts in the islands have better accessibility as majority of those are one story structures.

65. The Maldives Judicial Academy organized and conducted a sensitization and sign-language training for its staff in 2017.

66. In 2010, HRCM published a baseline assessment of the “Activities Addressing Rights of Persons with Disabilities” and in 2013–2014, conducted a “National Inquiry on Access to Education for Children with Disabilities (unpublished).

Article 14

Liberty and Security of the Person

67. Article 21 of the Constitution guarantees, every individual, a right to life, liberty and security of the person, and the right not to be deprived thereof to any extent except pursuant to a law made in accordance to the Constitution.

Treatment/Detention of people with cognitive and intellectual disabilities/mental illness in the health context

68. The Maldives is committed to ensuring the rights to liberty and security of persons with mental illness. Persons with mental illness are institutionalized at the Home for Persons with Special Needs (HPSN) in Kaafu Atoll Guraidhoo, only where there is no alternative form of care for them within their families or in severe cases where there is a risk of harm to themselves or others. A lot of the legislative and institutional safeguards to ensure the rights of persons with mental illness is lacking at the moment. The Maldives is currently working on its first ever Mental Health Bill, which will address the legislative requirements in the area.

Treatment/Detention of people with cognitive and intellectual disabilities/mental illness in the Criminal Justice System

69. Any person who is unable to understand the nature and purpose of proceedings against him, or assist in his own defense due to a mental or physical condition, is deemed unfit to plead, stand trial, or be sentenced, under Section 62 of the Penal Code. However, in the case where an incarcerated person develops a mental illness or needs psychological treatment, they are treated by visiting doctors in prison. If any such person needs to be institutionalized, they are taken to HPSN for in-house medical treatment.

70. As a matter of general rule, all persons enjoy the same procedural guarantees in the criminal justice system. However, the system lacks policies and practices to accommodate the specific needs, both physical accessibility and access to other services, of persons with disabilities. Reasonable accommodation for persons with disabilities is arranged on an ad hoc case by case basis, and lacks consistency and regularity.

Article 15

Freedom from Torture

71. Persons with disabilities are protected on an equal basis with others against torture or cruel, inhuman or degrading treatment or punishment.

72. Article 54 of the Constitution states that no person shall be subjected to cruel, inhumane or degrading treatment or punishment, or to torture. In addition, Article 52 stipulates that no confession shall be admissible in evidence unless made in court by the accused who is in sound mind, and that no statement or evidence must be obtained from any source by compulsion or by unlawful means and any such statement or evidence will be deemed inadmissible.

73. The Maldives ratified the Convention against Torture in April 2004. The Optional Protocol to the Convention against Torture (OPCAT) ratified by the Maldives on 15 February 2006 obliges each State party to “maintain, designate or establish one or several independent national preventive mechanisms for the prevention of torture at the domestic level”. HRCM is the designated National Preventive Mechanism (NPM) under OPCAT, and conducts regular visits to institutions in order to analyze the treatment, conditions and administration, including Home for People with Special Needs, Prisons, Detention Centers and Children’s Shelters.

74. The Maldives Anti-Torture Act 2013 also criminalizes inhumane and degrading treatment and torture. The Act also stipulates two ways victim can be compensated, including: “compensation for damage that cannot be assessed economically such as; harm caused to body due to torture; loss of an organ due to torture; dysfunction of an organ due to torture; the inability to live as he/she used to due to the loss of an organ or dysfunction of an organ; the pain to be suffered due to torture; hindrances to work or get a job due to the disability due to torture; psychological harm and emotional distress”.

75. Section 28 of Sexual Offences Act criminalizes any sexual offence committed against a person with disabilities. Section 28 (a) stipulates that: “it is a criminal offence to have or attempts to have sexual intercourse with a person, knowing that he/she is suffering from an intellectual impairment or a physical disability and who does not or is incapable of consenting to the act of intercourse”.

76. Torture of persons with disabilities will also be covered by Section 1102 (Aggravation for Special Harms) (2) (i) of the Penal Code, which states that if the victim is a person with an intellectual or physical disability or illness, the baseline sentence shall be aggravated by one level.

Article 16

Freedom from Exploitation, Violence and Abuse

77. The Maldives does recognize the vulnerability and protection of persons with disabilities from exploitation and violence.

78. Section 22 of the Disabilities Act stipulates that “persons with disabilities must be protected from all forms violence, cruel and inhumane treatment, torture, harassment, abuse and exploitation, at home and elsewhere. Furthermore, the Section also mandates the State to take all the necessary legal, administrative, social and awareness-raising steps to ensure their protection in practice.

79. In addition to Disabilities Act, legislations such as Domestic Violence Prevention Act, Penal Code, Human Trafficking Prevention Act, Sexual Offences Act, has specific Section dealing with the protection of persons with disabilities.

80. MGF is mandated to provide protection services to victims of violence and abuse, including the provision of temporary shelter if required. MGF established a Case Management Section within the Ministry as well as Family and Child Service Centres in all 19 atolls to provide the services outside of the capital. The department also has identified

case workers to handle cases involving persons with disabilities. However, there is a need to provide specialized trainings to these staff.

81. The Disability Council established under the Disabilities Act functions to ensure all facilities and programmes designed to serve persons with disabilities are effectively monitored. However, the lack of capacity and funds poses significant challenges to implement its functions, specially its monitoring function.

Article 17

Protecting the Integrity of Person

82. This fundamental right mandates that any intervention upon a person with a disability must occur with their consent. In the Maldives, this right is specifically regulated under the Disabilities Act, Section 15, which guarantees the right to inherent dignity and self-respect and freedom from illegal influences and attacks on their integrity (Section 15 (a)). Thus, the process for seeking consent is the same, irrespective of whether or not a person has a disability. The consent of a legal guardian is sought from the closest relative, as the guardian, prior to any medical treatment or procedure.

83. The legal system in the Maldives recognizes the right of all persons, including persons with disabilities, to retain their fertility on an equal basis with others. Furthermore, stringent guidelines around abortions and sterilizations ensure that abortions are only allowed where there is a proven risk to the mother's life. Sterilization of persons with disabilities and termination of pregnancies solely on the grounds of a fetus with a disability are also strictly prohibited in the system.

Article 18

Liberty of Movement and Nationality

84. The Maldivian Constitution states that every citizen has the freedom to enter, remain in and leave the Maldives and to travel within the Maldives, and that every citizen has the right to move to, and take residence on, any inhabited island of the Maldives. This stipulation is for all Maldivian citizens regardless of sex or disability that are of age.

85. Article 9(a) of the Maldives Constitution states that children born to a citizen of the Maldives and foreigners who, in accordance with law become citizens of the Maldives. Children with disabilities meeting the general citizenship criteria in the Constitution are assured of citizenship upon birth and all children regardless of disability are registered immediately after birth.

86. Any Maldivian is also free to apply for and obtain a dual citizenship from another country.

Article 19

Living Independently and Being Included in the Community

87. There have been many efforts made by the government, disability NGOs and other parties to ensure that persons with disabilities are able to live independently and are included in the community. For example, the State provides an allowance of MVR 2,000.00 (USD 129.70) for those listed on the registry of persons with disabilities at NSPA. The aim of the disability allowance is to improve the quality of life as well as facilitating access to services and encouraging independent living.

88. The Government is also introducing innovative measures to ensure the rights of persons with disabilities. In 2016, the Government introduced a national housing scheme to provide social housing at affordable prices to all persons. At the same time, the Government also introduced a policy initiative which allows extra points for all applications for housing made by persons with disabilities under this programme. The 2016 Housing Scheme has since awarded 167 flats to persons with disabilities.

89. In order to facilitate independent living and encourage more involvement of people in the community, the government also works with other relevant parties such as the Ministry of Housing and Infrastructure and Maldives Transport and Contracting Company (MTCC) on making public transport such as ferries, public buildings and other public areas such as beaches and parks accessible.

90. There are several active NGOs working closely with the government and other parties to lobby for more opportunities in the community for persons with disabilities. Social activities, such as family days out to the beach, football matches and other sports events are being arranged for persons with disabilities by these NGOs.

91. However, persons with disabilities face a lot of challenges living independently due to insufficient infrastructure to cater to their specific needs. More efforts are required to raise awareness within communities, including parents of persons with disabilities, to change attitudes towards the participation of such persons in community activities, and to provide an enabling and supportive environment.

92. Male' city, being amongst the most congested cities in the world, has an exceptionally high demand for housing. There is anecdotal evidence to suggest that home-owners often discriminate in renting houses and apartments to persons with disabilities. For example, Care Society, an NGO managing a school for persons with disabilities had to shut down its classes for 6 months during the reporting period, because they were unable to find a place with proper accessibility standards, who were willing to rent to run classes for wheelchair bound children. Such cases of discrimination goes unreported and therefore, often, the issue remains unaddressed.

Article 20 Personal Mobility

93. Section 26 (d) of the Disabilities Act obligates the government to provide assistive devices to persons with disabilities, particularly to those who do not have the means to procure them. In this regard, the National Social Protection Agency (NSPA) finances requests for the acquisition of assistive devices such as walkers, crutches, wheelchairs, special seating, hearing aids, prescription glasses, cochlear implants etc.

94. However, the government faces significant challenges to match the demand for assistive devices, and is currently working with private suppliers to ensure specific requirements from various applicants. The following table shows assistive devices provided by NSPA between 2013 and 2017.

<i>Assistive Device</i>	<i>2013</i>	<i>2014</i>	<i>2015</i>	<i>2016</i>	<i>2017</i>
Wheel Chair (Normal)	98	105	116	197	101
Special Seating	1	0	0	31	8
Hearing Aid	47	51	82	157	131
Crutches	0	0	4	2	2
Walkers	-	-	-	31	35
Air Mattress	-	-	-	21	18
Psychological Assessment	-	-	-	11	11
BiPAP	-	-	-	33	54
CPAP	-	-	-	21	21
VAP	-	-	-	23	20
Oxygen Concentrator	-	-	-	130	162
Others	40	41	90	-	-
Total	186	197	292	657	563

95. MGF issues a nationally accepted “identification card” for persons with disabilities, which enables them to have easy access to healthcare, transport and other services from both State and individual business entities.

96. Personal mobility is a challenge for persons with disabilities in the Maldives, especially in the capital due to the lack of proper infrastructure. For instance, the roads of the capital itself lack pavement ramps and audible pedestrian traffic signals to enable persons with disabilities to be mobile independently.

Article 21

Freedom of Expression and Opinion and Access to Information

97. Article 27 of the Constitution of Maldives gives all citizens the right to freedom of thought and the freedom to communicate opinions and expression, in a manner that is not contrary to any tenet of Islam. While Article 29 of the Maldivian Constitution gives all citizens the freedom to acquire and impart knowledge, information and learning; the Right to Information Act ratified in January 2014 ensures a right to every person submitting a request, to get information from state institutions (Section 4(a)).

98. The broadening of internet services across the country in the past years, and the increasing use of social media has increased the space for persons with disabilities to communicate and express their opinions. For instance, non-governmental and community-based organisations working in the area of disabilities are able to communicate and spread information through mainstream and social media such as Facebook and Twitter.

99. On 8 December 2015, the Government launched Dhivehi (Maldivian language) Braille. Efforts are also being made to train teachers across the country and provide sign language trainings for all service providers across the board. Some TV programmes use sign language interpreters to ensure access to information by persons with hearing impairments. However, modes of communication such as Braille and sign language are not widely used in official interactions and there is a lack of advancement in recognising and promoting the use of these modes of communication.

100. There is also a gradual shift by agencies and institutions of the State towards making information available online, and using the internet and social media to communicate information and announcements that increase access to information, particularly to those in the atolls.

101. The Government is committed to promote the use of sign language and the production of information that is accessible to all persons in the Maldives.

Article 22

Respect for Privacy

102. Under the Constitution, persons with disabilities enjoy the same level of protection of their private and family lives as all other Maldivian citizens. Section 15(a) of the Disabilities Act emphasizes the right to privacy of persons with disabilities, and 15(b) ensures privacy of their medical records and information.

103. However, there are attitudinal changes required within communities to respect these rights, as well as improving accessibility and integration of persons with disabilities to normalise interactions between them and communities to ensure respect for privacy.

Article 23

Respect for Home and Family

104. Although there is no specific reference to persons with disabilities in matters of marriage and parenthood in the Maldivian Constitution, Article 34(a) states that every person of marriageable age as determined by law has the right to marry, and to establish a family as specified in law. The family, being the natural and fundamental unit of society, is

entitled to special protection by society and the State. However, persons with disabilities do face challenges in the practical aspects of marriage due to society and family attitudes and lack of awareness.

Article 24

Education

105. The Maldivian Constitution ensures the right to education. Section 20 of the Disabilities Act further states that persons with disabilities should have access to education without any discrimination, and that special arrangements should be made in the school environments to enable children or students with disabilities to access educational opportunities.

106. The Ministry of Education follows an Inclusive Education Policy, which specifies the provision of education for children with disabilities in the education system of the country. Access to education for children requiring Special Education Needs (SEN) is by means of an Individual Education Plan (IEP), which details out all the learning goals for the child. Inclusive education programs have been established in all public schools, hence children requiring SEN in every island in the country, now have access to schooling. Furthermore, some of the schools in the capital have specialised SEN units, to provide education for children with hearing impairments, visual impairments and to cater to the needs of children with multiple disabilities.

107. With the introduction and development of inclusive education in all public schools, there are 1053 girls and 1061 boys (a total of 2114 children), in 212 schools across the country who require IEP in 2018.

108. The Ministry of Education is working to improve accessibility within schools with the provision of MVR 2500 worth of stationary vouchers to children with disabilities and such arrangements are based on the learning needs of the child. Since the roll out of the new national curriculum in 2015, the National Institute of Education (NIE) has developed curriculum adaptation for children with disabilities. Teachers of foundation stage, key stage 1 and 2, have since completed this training. The new national curriculum also has the option for students at secondary level to choose a vocational track, which is available for students with disabilities as well.

109. Teacher training for special needs began at the National Institute of Education (NIE) in 2014. The initial target was to train at least 1 SEN teacher for each school. Teachers in 193 schools have already been trained and the remaining 19 schools will be covered by the end of 2018. A leading teacher from each school (Inclusive Ambassador) has been trained to look after the Inclusive education program. In addition to this, IEP committees have been formed in all schools to make decisions regarding students requiring IEP. Guidelines and procedures in providing education for children with SEN have been developed with the assistance of a technical committee, and awareness programmes on these procedures and guidelines are conducted for schools regularly.

110. Only few students following regular classes with the adapted curriculum take the exam to obtain a formal qualification.

111. MGF receives a limited number of complaints regarding children with disabilities not receiving the time and attention they require within schools that have SEN units. These cases are shared with the Ministry of Education through referrals, and addressed on a case-by-case basis.

112. Some NGOs such as Care Society provide education and rehabilitation services for children and youth with disabilities, including vocational courses. Maldives Autism Association provides rehabilitation services for children residing in Male', and the NGO Beautiful Eyes provide services to children with downs syndrome. MAPD conducts some vocational and skills training courses to children with disabilities in Male' and atolls as well.

113. The right to education for children with disabilities remain a key challenge, due to lack of awareness on the importance of bringing children with disabilities to school and

reluctance of parents to integrate children with disabilities in regular classes. This also negatively affects the acceptance of children with disabilities within the community.

Article 25

Health

114. The right to health is guaranteed to all citizens under the Constitution. Section 21 of the Disabilities Act stipulates that persons with disabilities should get all available health services without any form of discrimination and as close as possible to their physical location. The section also establishes the right of persons with disabilities to make decisions relating to their health and body, unless it is in danger to their health as certified by a medical professional and not contrary to a tenet of Islam.

115. Healthcare services are available in all the islands in varying degrees. However, specialist care and services such as occupational therapy, physiotherapy and speech therapy are only limitedly available centrally or in some cases regionally. The lack of such specialised services in the atolls also make it difficult for persons with disabilities to get proper assessments in order to apply for the government's disability allowance. In addition, the archipelagic features of the country adds to accessibility challenges in seeking healthcare. The state is continuing its efforts to expand and improve access to healthcare services across the country.

116. The National Health Scheme "Aasandha" provides free health services to all persons, including persons with disabilities. The scheme allows unlimited access of healthcare services, including outpatient services, rehabilitation and certain prescription drugs. Furthermore, persons with disabilities also receive assistive devices from the State, as explained under Article 20 of this Report. However, certain treatments such as speech therapy and rehabilitative treatments for autism and Attention Deficit Hyperactivity Disorder (ADHD), are not covered under this scheme. These are also, often costly, and unavailable in the country.

117. The Health Protection Agency (HPA) maintains a register of persons with mental disabilities and provides free medication for persons on the registry. HPA also distributes a growth-monitoring book to all new parents, which contains information on milestones, and includes charts to monitor height, weight and head circumference. The graphical presentations of the progression in the book allow parents to identify if there are any developmental delays.

Article 26

Habilitation and Rehabilitation

118. The State provides limited habilitation and rehabilitation services to persons with disabilities in Male' but not in the atolls, due to constraints in capacity and resources. Some of these services include occupational therapy, physiotherapy and speech therapy which are provided limitedly, in IGMH the state hospital in Male' as well as in Hulhumale' hospital.

119. Some NGOs such as Care Society, MAPD, Autism Association and Beautiful Eyes also provide education and rehabilitation services for children and youth with disabilities, including those with autism, hearing disabilities, speech impairments, cerebral palsy, down syndrome, learning and intellectual disabilities. In addition, they provide other services such as physiotherapy, vocational courses, parent consultations and social activities and conduct community based rehabilitation (CBR) programmes in the atolls.

Article 27

Work and Employment

120. The right to work, and the right to just and safe conditions of work, fair wages, and equal remuneration for work of equal value, is guaranteed in the Constitution and the Employment Act (Law No. 02/2008).

121. Article 37 (a) of the Constitution guarantees the right to employment. In addition, Article 25 (a) of the Constitution states that no one shall be held in slavery or servitude, or required to perform forced labour. Furthermore, Section 4 (a) of the Employment Act prohibits discrimination amongst persons carrying out equal work, in the granting of employment, determination of remuneration, provision of training, determination of employment conditions, dismissal from employment or resolution of other employment matters, based on amongst other factors, disabilities.

122. Moreover, Section 19 (a) of the Disabilities Act guarantees that persons with disabilities have the equal right to choose their profession or be employed at a job of their own choosing, and have the right to equal opportunities in employment as others. Section 19 (b) prohibits discrimination in granting of employment and in the work environment on the basis of disability. Under Section 19 (c) employers must provide an accessible and enabling environment for persons with disabilities, including through education and awareness for other employees. Section 19 (d) mandates the government to provide incentives and other measures to employers who employ persons with disabilities. In addition to encouraging such employers, this section also mandates the State to play a leadership role in encouraging and assisting persons with disabilities to seek employment opportunities and in entering the job market. Section 19 (e) also explicitly prohibits discriminating persons with disabilities in education and training opportunities, in promotions and career advancement and in providing allowances. Finally, Section 19 (g) mandates the State to promote self-employment and entrepreneurship for persons with disabilities, including through providing training, information, resources and financial assistance required for such enterprise.

123. Despite the legislative provisions, persons with disabilities face many challenges in obtaining employment. Firstly, the lack of necessary qualifications due to the limitations in the education system to study towards a formal qualification is a key barrier. In addition, accessibility difficulties and lack of special mechanisms at work places also affects the performance of employees with disabilities. Moreover, those that do pursue employment has reported negative attitudes and lack of understanding of their needs, which discourage them to continue their employment. Nevertheless, some companies have been successful in retaining persons with disabilities in full-time and long-term employment contracts.

124. Between 2014 and 2016, the government successfully secured 275 jobs for persons with disabilities after lobby efforts with 19 different state-owned companies. Since 2017, the Ministry has strengthened its efforts and conducted various programmes to increase awareness amongst employers and persons with disabilities, in order to make workspaces more adaptable and inclusive towards persons with disabilities.

Article 28

Adequate Standard of Living and Social Protection

125. Article 23 of the Constitution requires the State to adopt reasonable measures within its ability, to ensure adequate standard of living through the progressive realization of: (a) adequate and nutritious food and clean water; (b) clothing and housing; (c) good standards of physical and mental health care; (d) a healthy and ecologically balanced environment; (e) equal access to means of communication, the State media, transportation facilities, and the natural resources of the country; (f) the establishment of a sewage system of reasonably adequate standard on every inhabited island; and (g) the establishment of an electricity system of a reasonably adequate standard on every inhabited island that is commensurate to that island.

126. To ensure that persons with disabilities are able to enjoy an adequate standard of living, the Disabilities Act established a financial allowance of MVR 2000 to all persons with disabilities enrolled in the National Registry of Persons with Disabilities, which is currently maintained by the National Social Protection Agency (NSPA). NSPA also provides financial assistance to procure assistive devices such as walkers, crutches, special chairs, wheelchairs and hearing aids.

127. The Health Protection Agency (HPA) of the Ministry of Health maintains a register of persons with intellectual disabilities and provides free medication for persons with intellectual disabilities.

128. All citizens of Maldives, including those with disabilities have access to the National Health Insurance Scheme Aasandha, through which patients get free healthcare services, from State hospitals and health facilities and participating local and international clinics and hospitals.

129. A state-funded Home for Persons with Special Needs (HPSN) in K. Guraidhoo, houses persons with disabilities that require state care. MGF in partnership with Ministry of Health also implements a bedridden program, where fully bedridden senior citizens of 65 and above, including persons with disabilities, are entitled to home visits by health professionals where necessary, to provide basic healthcare services.

130. As provided under Article 20 of this Report, since December 2013, MGF has been issuing a national “identification card” for persons with disabilities, which enables them to have easy access to healthcare, transport and other services from both State and individual business entities.

131. In 2016, Ministry of Housing and Infrastructure allocated 50 flats from the social housing scheme in Hulhumale’ to persons with disabilities. At the end of the programme, a total of 167 housing units from the 704 units under the Hulhumale’ Phase-1 Housing Project (over 23% of the total housing units), were awarded for persons with disabilities.

Article 29

Participation in Political and Public Life

132. The Constitution of the Maldives guarantees civil and political rights to all citizens of the country, including right to vote and run for public office, freedom of expression, freedom to form political parties, associations and societies, right to strike and freedom of assembly. Persons with disabilities living under State Care in institutions have also been granted equal voting rights since 2013.

133. Special provisions are made for persons with disabilities during elections. Persons with disabilities are provided with assisted voting provisions and may use a helper if needed. Accessibility difficulties remain a challenge to persons with physical disabilities at the polling stations, due to limitations in infrastructure. However, Elections Commission ensures reasonable accommodation for such persons with limited mobility.

134. MGF, Disability Council, Elections Commission and HRCM work in close collaboration with stakeholders and non-governmental organisations in the disability and governance sectors, to address the difficulties faced by persons with disabilities during voting and accessing voter information, and to enable better and informed participation of persons with disabilities during election cycles.

135. In addition, with the establishment of freedoms and rights under the Constitution, this has given space for civil society to be more active in pursuing the rights of persons with disabilities, and as a result there is currently a robust community of civil society in this area. These include Maldives Care Society (supporting persons with both physical and mental disabilities), Deaf Association (MDA), Maldives Autism Association (MAA), MAPD, Beautiful Eyes (for Down Syndrome) etc. They are increasingly active in lobbying various government and state agencies and also in raising awareness about the rights of persons with disabilities.

Article 30

Participation in cultural life, recreation and sports

136. Article 39 of the Constitution states that everyone has the right to participate in the cultural life of the nation and to benefit from literary and artistic endeavours. The Disabilities Act further states that a person’s disability should not be a reason to be

prevented from participating in sports, cultural or recreational activity. In addition, participation in such activities by persons with disabilities should be facilitated and special sports and recreational activities should be organised for them as well.

137. Dhiraagu (State Telecommunications Company) holds a yearly sports festival for children with disabilities. NGOs such as Autism Association also holds an annual art exhibition displaying talent of children with autism. Autism Association and MAPD also hold various sports events during the year, to ensure participation of children with disabilities in recreation and sports.

IV. Specific Convention Provisions

Article 6

Women with Disabilities

138. At the end of May 2018, the National Disability Registry had 3056 women registered as Persons with disabilities. The registry also shows that the number of women claiming a disability allowance is less than men in the Maldives. All initiatives in favor of persons with disabilities however, equally apply to and cover men, women and children.

139. Article 17, the non-discrimination clause of the Constitution specifies that everyone including those with mental or physical disability is entitled to the rights and freedoms included in the Constitution without discrimination of any kind, including, amongst other things, sex, age, mental or physical disability. Moreover, it also reaffirms that any measures undertaken to ensure equality in practice, will not be considered as a violation of the principle of equality in the Maldives. Section 29 (a) of the Disabilities Act further guarantees special assistance and protection to women and children with disabilities.

140. While the State is yet to conduct comprehensive studies on how disabilities affect women in the Maldives, the Government is currently working with local communities to raise awareness on the issue of discrimination against women, and violence against women and girls, which also focuses on discrimination and violence against persons with disabilities.

Article 7

Children with Disabilities

141. The Maldivian Constitution states that everyone is entitled to the rights and freedoms in the constitution without discrimination of any kind, including age. Article 35(a) of the Constitution also states that Children and young people are entitled to special protection and special assistance from the family, the community and the State. Children and young people shall not be harmed, sexually abused, or discriminated against in any manner and shall be free from unsuited social and economic exploitation. No person shall obtain undue benefit from their labour. Section 29 (a) of the Disabilities Act states that special attention should be given to women and children with disabilities in protection of their rights.

142. The Maldives is also a signatory to the Convention on the Rights of the Child (CRC). This is enforced through the Law on the Protection on the Rights of Children (9/91), which obligates the state, parents and community to take all measures to protect the rights of children. Section 6 of the Children's Rights Act states that special provisions must be provided to address the needs of children with disabilities and enable their participation in the society.

143. The education system mandates that all children be vaccinated according to the immunization programme of the government before being able to enroll in school and children with disabilities have the option to be a part of the regular school system and follow an adapted curriculum, or attend SEN classes available in some schools.

144. MGF undertakes risk assessments on reported cases of children with disabilities. Where a child is concerned, the safety of the child or children remains paramount at all times. Special measures are therefore, put in place, to ensure that no child is removed from his/her parents or family environment due to the primary cause of the report being a child's disability. Where a referral or report pertains to an adult with a disability, any children within the family will also be given due consideration throughout the assessment process. Further assessments are done, as necessary, depending on the risk of significant harm to a child or vulnerable adult with a disability or disabilities, to gauge the potential of risk to any children within the household. Separation of a child from their family environment or removal of a child into State Care is therefore, always considered as a means of last resort.

145. MGF obtained the participation of children with disabilities in the "Child Participation Forum" to initiate dialogue and discussion on the national action plan on violence against children in September 2017, to ensure the inclusion of children with disabilities in all areas of life.

146. There are many challenges faced by children with disabilities and their parents in fully participating in community activities, mainly due to accessibility constraints. In addition, much effort is needed to raise awareness in the communities on how to interact with children with disabilities to enable them to be a part of the community without experiencing bias and discrimination.

V. Specific Obligations

Article 31 Statistics and Data Collection

147. The Maldives is yet to conduct a national survey to understand the prevalence of disability among the population of Maldives. However, at different times there have been exercises in data collection of specific groups within persons with disabilities. Different sectors also have data that are relevant to their areas, such as the education sector having statistics of students attending SEN classes. The only recent combined data available on persons with disabilities are those who have registered to get disability allowance from the government, through NSPA.

148. The lack of comprehensive and desegregated data on persons with disabilities poses great challenges in planning targeted programmes not only for the state, but also for non-governmental and community-based organisations as well.

Article 32 International Cooperation

149. In order to fulfill the State's obligations under the Convention, the state has been focusing so far on legislative and regulatory mechanisms to lay the foundations for protection and special provisions for persons with disabilities, with the exception of education sector which has also focused on establishing and expanding service provision. This has been done, in some cases, with technical assistance from donor organisations.

150. Most cases of international cooperation have been between donor agencies and non-governmental organisations in raising awareness, capacity building, and providing community-based rehabilitation for persons with disabilities. The State recognizes that strengthening of services for persons with disabilities depend on enhanced cooperation with international agencies.

Article 33

National Implementation and Monitoring

151. MGF has the national mandate for disabilities, and as such is also the Government agency in charge of monitoring and reporting on the Convention. MGF ensures that all relevant stakeholders, with particular attention to non-governmental organisations in the disability sector, are consulted, in the planning and implementation of all activities related to protection and promotion of the rights of persons with disabilities.

152. The Disability Council established under the Disabilities Act also functions to ensure all facilities and programmes designed to serve persons with disabilities are effectively monitored. HRCM also has a role in monitoring and implementation of services for persons with disabilities.

153. The State recognises and is committed to ensuring better coordination among State institutions to serve the needs of persons with disabilities. The State is also committed to enhance coordination and consultation with civil society to ensure that the programmes and activities of the state are relevant and timely in protecting the rights of persons with disabilities.

Annexes

Annex I

List of organisations consulted for the preparation of the initial report

Government Agencies

- 1 President's Office
- 2 Ministry of Health
- 3 Ministry of Education
- 4 Ministry of Housing and Infrastructure
- 5 Ministry of Foreign Affairs
- 6 Ministry of Economic Development
- 7 Attorney General's Office
- 8 Ministry of Home Affairs
- 9 National Disaster Management Center
- 10 Maldives Police Services
- 11 Maldives National Defense Force
- 12 Indhira Gandhi Memorial Hospital (IGMH)
- 13 National Social Protection Agency
- 14 Aviation Security Command

Independent Commissions/State Bodies

- 15 Election Commission
- 16 Family Protection Authority
- 17 Broadcasting Commission
- 18 Human Rights Commission of the Maldives (HRCM)
- 19 Disability Council
- 20 Prosecutor General's Office
- 21 Supreme Court
- 22 Family Court
- 23 Department of Judicial Administration

Non-Governmental Organisations

- 24 Association for Disability Development (ADD)
 - 25 Maldives Association for Physical Disabilities (MAPD)
 - 26 Beautiful Eyes Down Syndrome Association of Maldives
 - 27 Advocating for the Rights of Children (ARC)
 - 28 Child Advocacy Network of Disability Organizations (CAN DO)
-

Annex II

Number of persons with disabilities registered at NSPA between 2012 and 2017 by year and sex

<i>Year</i>	<i>Male</i>	<i>Female</i>
2017	3 978	2 946
2016	3 740	2 822
2015	3 530	2 646
2014	3 236	2 366
2013	2 698	2 178
2012	2 505	1 902

Annex III

Table showing recipients of the national award for outstanding persons with disabilities and for persons/entities working for the promotion and protection of persons with disabilities between 2012–2016

<i>Year</i>	<i>Awardee</i>	<i>Category</i>
2012	Aminath Shidhuna	Individual achievements as a PwD/deaf
	Thaufeeq Ahmed	Individual achievements as a PwD/blind
	Haamid Nasheed Mohamed	Individual achievements as a PwD/Physical impairment
	Mohamed Maazin	Individual achievements as a PwD/ blind
	Abdulla Kareem Abdulla	Individual achievements as a PwD/ blind
	Shidaatha Shareef	Promoter of the rights of PwDs – Individual
	Fathimath Afiya	Promoter of the rights of PwDs – Individual
	Shaheez Abdulla	Promoter of the rights of PwDs – Individual
	Care society	Promoter of the rights of PwDs – NGO
	Faruzana Shaugee	Services to the PwD Community – Professional
	Happy Market Trading Pvt Ltd	Services to the PwD Community – Donor
	Dheena Abdul Hameed	Acknowledgement by the Government for PwD's achieving international recognition
	2014	Hussain Nazeeh Yauqoob
Maldives Autism association		Promoter of the rights of PwDs – NGO
Imadhuhdeen school		Services to the PwD Community – Education
Sharafudheen school		Services to the PwD Community – Education
Ahmed Ashfaq		Individual achievements as a PwD
Mariyam Rizwana		Individual achievements as a PwD
Mohamed Sadham		Individual achievements as a PwD
Mohamed Muslim		Individual achievements as a PwD
Hussain Shareef		Individual achievements as a PwD
Aishath Zaeema		Services to the PwD Community – Professional
Fauziya Mahmood		Services to the PwD Community – Professional
Mariyam Fazni		Promoter of the rights of PwDs – Individual
Mariyam Sahudha		Promoter of the rights of PwDs – Individual
Ahmed Hisan		Promoter of the rights of PwDs – Individual
Universal enterprises Ltd	Services to the PwD Community – Donor	
2016	Mohamed Awam	Individual achievements as a PwD/deaf
	Dheena Latheef	Individual achievements as a PwD/deaf

<i>Year</i>	<i>Awardee</i>	<i>Category</i>
	Nazeeha Abdul Sathaar	Individual achievements as a PwD/blind
	Abdul Rasheed Mohamed	Individual achievements as a PwD/blind
	Ahmed Najeeb	Individual achievements as a PwD/physical impairment
	Hafiz Ahmed School	Services to the PwD Community – Education
	Jamaludheen School	Services to the PwD Community – Education
	Zihnath Hassan	Promoter of the rights of PwDs – Individual
	Mariyam Shathurath Saakir	Promoter of the rights of PwDs – Individual
	Ifham Hussain	Promoter of the rights of PwDs – Individual
	Fathimath Zameel	Promoter of the rights of PwDs – Individual
	V.FM 99	Promoter of the rights of PwDs – Media
	Alifulhu Thuthu Foundation	Services to the PwD Community – Donor
	MTCC	Services to the PwD Community – Employer
	Beautiful Eyes Down Syndrome Association	Services to the PwD Community – NGO

Annex IV

Number of persons with disabilities registered at Nspa at the end of May 2018, by sex, region and type of disability

#	Atoll	Type of Disability														Total per Atoll		
		Autism		Hearing and speech impairment		Intellectual Disability		Learning Disability		Multiple Disabilities		Physical Disability		Visual Disability		Male	Female	Total number
		Male	Female	Male	Female	Male	Female	Male	Female	Male	Female	Male	Female	Male	Female			
1	HA	11	4	25	31	49	45	1	1	24	19	78	63	24	18	212	181	393
2	HDh	18	5	48	58	57	59	1	3	37	19	89	69	25	22	275	235	510
3	Sh	7	3	40	37	42	39	0	0	18	13	79	46	23	24	209	162	371
4	N	2	1	13	16	24	27	0	0	11	7	46	25	7	12	103	88	191
5	R	9	0	22	24	45	49	1	0	25	20	81	46	15	17	198	156	354
6	B	6	1	19	16	38	22	0	1	13	5	40	21	15	8	131	74	205
7	Lh	5	7	27	12	24	37	1	3	9	11	32	31	12	11	110	112	222
8	K	5	5	23	20	28	23	1	0	11	10	57	39	7	2	132	99	231
9	AA	1	2	7	9	37	19	4	0	7	4	20	11	7	4	83	49	132
10	Adh	13	3	18	32	22	26	0	0	10	14	32	23	29	13	124	111	235
11	V	0	0	3	2	2	1	0	0	2	3	9	4	0	1	16	11	27
12	M	1	2	13	6	7	10	0	0	7	6	25	12	9	7	62	43	105
13	F	1	0	7	7	16	14	0	0	5	8	19	24	14	5	62	58	120
14	Dh	6	2	13	8	12	10		1	11	4	21	16	6	1	69	42	111
15	Th	10	1	19	17	23	19	0	0	12	6	50	28	11	5	125	76	201
16	L	2	5	26	18	31	26	2	0	9	10	67	51	22	8	159	118	277
17	GA	9	2	20	20	27	30	2	2	20	10	78	43	21	18	177	125	302
18	Gdh	11	3	37	36	47	30	2	1	17	20	83	59	19	22	216	171	387
19	Gn	13	6	18	22	29	30	3	0	14	6	57	38	16	8	150	110	260
20	S	24	2	50	58	69	60	5	1	36	30	74	59	24	34	282	244	526
21	Male	285	58	155	143	280	219	18	11	128	62	262	210	59	70	1187	773	1960
22	Not stated	1	0	1	1	3	1	0	0	1	1	1	3	1	0	8	6	14
23	Overseas	11	0	1	2	2	4	1	0	3	0	1	6	0	0	19	12	31
Total PWDs registered according to gender		451	112	605	595	914	800	42	24	430	288	1301	927	366	310	4109	3056	7165
Total PWDs registered per disability		563		1200		1714		66		718		2228		676		7165		

Annex V

Sign language training programmes conducted by the ministry between 2012–2017

<i>Program Title</i>	<i>Date</i>	<i>Social workers</i>	<i>Investigative officers</i>	<i>Health professionals</i>	<i>Education professionals</i>	<i>Service providers</i>	<i>Other institutions and individuals</i>	<i>Total number trained</i>
Basic Sign Language (Batch 1–3)	Feb–March 2017	7	18	0	0	11	31	67
Basic Sign Language for Service Providers (Batch 4)	8–23 Oct 2017	3	0	3	0	18	4	28
Basic Sign Language H.A. Atoll (Batch 5)	16–24 Dec 2017	2	0	7	12	12	36	69
Basic Sign Language Program for Health and Service Providers (Batch 6–9)	30 Jan–26 Feb 2018	1	2	21	1	22	25	72
Advanced Sign Language (Batch 1)	24 Oct–29 Nov 2017	3	0	10	0	5	5	23
Advanced Sign Language (Batch 2)	3–30 April 2018	0	2	2	0	2	5	11