



**Convention on the Elimination
of All Forms of Discrimination
against Women**

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**Committee on the Elimination of Discrimination
against Women**

**Sixth periodic report submitted by Maldives under
article 18 of the Convention, due in 2019***

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* The present document is being issued without formal editing.



Abbreviations and Acronyms

AGO	Attorney General's Office
CEDAW	Convention on the Elimination of all Forms of Discrimination against Women
CMDA	Capital Market Development Authority
COs	Concluding Observations of the CEDAW
CSGs	Community Social Groups
CSOs	Civil Society Organisations
DV	Domestic Violence
DVPA	Domestic Violence Prevention Act
FCSCs	Family and Children's Services Centres
FGM	Female Genital Mutilation
FPA	Family Protection Authority
GBV	Gender-based Violence
GE Act	Gender Equality Act
GFPs	Gender Focal Points
GII	Gender Inequality Index
HRCM	Human Rights Commission of the Maldives
IMF	International Monetary Fund
LFPR	Labour Force Participation Rate
MDGs	Millennium Development Goals
MDVPS	Maldives Domestic Violence Prevention Strategic Plan (2017–2021)
MMA	Maldives Monetary Authority
MMR	Maternal Mortality Ratio
MOE	Ministry of Education
MOED	Ministry of Economic Development
MOGFSS	Ministry of Gender, Family and Social Services
MOH	Ministry of Health
MSME	Micro, Small & Medium Enterprises
NBS	National Bureau of Statistics
NER	National Enrolment Rate
NSPA	National Social Protection Agency
NWM	National Women's Machinery
OP	Optional Protocol
PGO	Prosecutor General's Office
PWDs	Persons Living with Disabilities
SDGs	Sustainable Development Goals under Agenda 2030

SRH	Sexual and Reproductive Health
TFR	Total Fertility Rate
UNDP	United Nations Development Programme
UNFPA	United Nations Population Fund
UNICEF	United Nations Children's Education Fund
UPR	Universal Periodic Review

Introduction

1. The Maldives ratified the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) in 1993 with reservations against Articles 7 and 16. In March 2006, Maldives ratified the Optional Protocol (OP) to the CEDAW. With the adoption of the new Constitution in 2008, women were granted the right to run for the office of the Presidency, resulting in the lifting of the Government's reservation against CEDAW Article 7.

2. The Government of Maldives and the CEDAW Committee's previous dialogue around the combined fourth and fifth Periodic Report was conducted on 27th February 2015 during the Committee's 60th Session. The Committee's subsequent Concluding Observations (COs) were received in March 2015.

3. In 2017, the Government of Maldives provided Follow Up information to the Committee on measures taken to address the Concluding Observations (COs) received in 2015 following the fourth and fifth periodic report specific to the removal of the state's reservations against Article 16 of the Convention, and around the Administration of Justice.¹ In April 2018, the Committee's Rapporteur on Follow-up issued a letter recognising the status of implementation of the COs.² The 6th Periodic Report covers 2013 to end of 2018.

4. Following the Presidential Elections in September 2018 and a smooth transition of power completed by November 2018, a relatively young democracy, and the Government of Maldives remains committed to harmonising its national laws, policies and programmes with the CEDAW. Since the adoption of the new Constitution in 2008, the national legal and regulatory frameworks in all spheres of government have been significantly revised and strengthened, including the complete modernisation of the country's justice system. The investment by the Government towards implementation of the CEDAW continues despite cultural and political resistance to an extent, from certain aspects of a society which is faced with the difficult task of balancing advances in development against strong cultural and religious traditions.

Report Preparation

5. The Sixth Periodic Report to the CEDAW is to be read in conjunction with the Common Core Document prepared in 2010.³ This report was prepared following the Harmonized Guidelines issued by the Office of the High Commissioner for Human Rights in May 2006⁴ and the 2008 Revised Reporting Guidelines of the CEDAW Committee.⁵

¹ [CEDAW/C/MDV/CO/4-5/Add.1](#), "Committee on the Elimination of Discrimination against Women – Concluding Observations on the combined fourth and fifth periodic reports of Maldives – Addendum. Information provided by Maldives on the follow up to the concluding observations of the Committee", page 2, 20 October 2017.

² DB/follow-up/Maldives – Rapporteur on follow-up, Ms. Hilary Gbedemah – Committee on the Elimination of Discrimination against Women, "Committee on the Elimination of Discrimination Against Women – Letter on Follow Up of Government of Maldives to the Committee's Concluding Observations of the fourth and fifth periodic report", 13 April 2018.

³ Core document forming part of the reports of States parties Maldives, 16 February 2010 in [HRI/CORE/MDV/2010](#).

⁴ Harmonized Guidelines on Reporting under the International Human Rights Treaties, including Guidelines on a Core Document and Treaty-Specific Documents, 10 May 2006 in [HRI/MC/2006/3](#) and Corr.1.

⁵ Annex 1 on Reporting Guidelines of the Committee on the Elimination of Discrimination Against Women in [E/CN.6/2008/CRP.1](#).

6. With the support of the United Nations Population Fund (UNFPA) and the United Nations Development Programme (UNDP), the Ministry of Gender, Family and Social Services (MOGFSS) has taken the reporting obligations under the CEDAW as an opportunity to do a stock-taking on the overall advances to achieving gender equality in the country, and to deepen on-going dialogue with key line Ministries and Civil Society Organisations (CSOs) in this regard. The MOGFSS established an inter-ministerial technical-level CEDAW Sectoral Committee in December 2018 to support the drafting and review of the 6th Periodic Report. Over a two-month period, the MOGFSS coordinated written feedback from all relevant government agencies on CEDAW implementation and engaged the Gender Focal Points (GFPs) Network to review the drafts of the 6th Periodic Report as a means of increasing their awareness on the CEDAW. Consultations were held with all ministries and government departments, including the Courts, as well as with CSOs. Field consultations were held on four islands – Kaashidhoo in Kaafu Atoll, Gaafaru in Kaafu Atoll, Kudahuvadhoo in Dhaalu Atoll, and Hulhudheli in Dhaalu Atoll – involving the elected Local Councils, Health and Education personnel, Police, Magistrates, and Women’s Development Committees (WDCs), who also supported focus group discussions with women in the islands. Immediately thereafter, a national validation workshop was held with participants from Government and CSOs in which the findings were shared and from that dialogue, the report was finalised.

Major Policy and Service Developments Impacting Gender Equality

7. The 2013–2018 Reporting period has seen significant advances in aligning the country’s national legal and regulatory frameworks with obligations in the CEDAW:

- Law Number 18/2016 (Gender Equality Act) was enacted on 23rd August 2016, and came into force 6 months thereafter. This Act prohibits discrimination on the basis of gender and promotes gender equality in all aspects of public and family life. A historic law, long-awaited by the women’s movement, the Act outlines explicit duties and responsibilities on State and private parties, prohibits victimization and introduces remedies for gender-based discrimination;
- Law Number 17/2014 (Sexual Offences Act) was enacted on 13th May 2014 and came into force 6 months thereafter. This Act provides for the protection of children and adults from all forms of sexual violence, and includes an aspect to prevent rape within marriage. Additionally, sexual offenders engaging children are subjected to a specific regime of law established pursuant to Law Number 12/2009 (Special Provisions Act to Deal with Child Sex Abuse Offenders);
- Law Number 16/2014 (Sexual Harassment Act) provides protection from all forms of sexual harassment at the place of employment and in public spaces. The Act further allows for investigation to be conducted within the organisation where a special committee is required to be established, and allows for redress mechanisms to be employed;
- Adoption of an overhauled penal code, Law Number 9/2014 (Penal Code of Maldives) in 2015, which along with Law Number 12/2016 (Criminal Procedure Act) enacted on 2nd May 2016, introduced a modern and more cohesive criminal justice system to the Maldives. Adoption of the said Criminal Procedure Act set forth a comprehensive set of rules to be adhered to by all the institutions involved in investigation and prosecution within the criminal justice system of Maldives;

- The Supreme Court of Maldives has formulated and maintains the Regulation on Family Matters pursuant to the Family Law in Maldives. As such the First Amendment to Regulation on Family Matters introduced Section 85 to the Regulation. Section 85 (a) states that where a party/parties requesting marriage is below the statutory age of 18 years, as per Section 4 of the Family Act, such a marriage may be conducted only in the Family Court. Section 85 (b) further states that the Family Court shall in those circumstances refer to Ministry of Gender, Family and Social Services, and consider the Ministry's stand on that matter. On 20th September 2016, the Supreme Court via the Second Amendment to the Regulation amended Section 85 (b) to stipulate that where the party/parties requesting marriage are below the statutory age of 18 years, the Family Court shall seek approval from the Supreme Court of Maldives and submit an assessment report prepared by Ministry of Gender, Family and Social Services on the matter;
- The Second Amendment to the Family Act (9/2016) now provides for the equal distribution of matrimonial property after divorce.

8. Under Law Number 3/2010 (Domestic Violence Prevention Act) (DVPA) adopted in 2012, the Family Protection Authority (FPA) was established and has rolled out a case referral and monitoring protocol, as well as two National Domestic Violence Prevention Strategic Plans, with the second (MDVPS 2017–2021) now on-going and focused on clarifying the explicit obligations and policy revisions required to ensure the full enforcement of the DVPA. Under the MDVPSs:

- The FPA and MOGFSS have ensured that the 19 Atolls in which the 187 inhabited islands are clustered, have strengthened Family and Children Services Centres (FCSC);
- MOGFSS has established and/or consolidated resources and staffing for four shelters for survivors of violence;
- Extensive trainings have been provided to social workers, police, responsible Ministries, and Courts on the application of the DVPA and the case management protocols;
- In 2016 the Ministry of Health (MOH) rolled out its Health Sector Response to Gender-Based Violence (GBV) Guidelines which establish protocols for assessment and treatment of cases.

9. During the reporting period, Maldives conducted its Census (2014), and a new Demographic and Health Survey (DHS 2016/2017) which significantly contributed to bridging some long-standing information gaps in terms of prevalence of early marriage as well as challenges and achievements in implementation of the country's Sexual and Reproductive Health (SRH) legislation and other relevant regulatory frameworks.

Key Challenges to Advancing Gender Equality

10. With an estimated population of 512,038, of which 366,176 are Maldivian, the Government serves a society spread over 1,192 small islands, 187 that are inhabited with more than 400 islands being used as resorts and for non-administrative purposes.

11. The economy has grown significantly since 2013, rising from GDP per capita US\$7,660 to US\$9,088 in 2017 and poverty has reduced from 21% in 2003 to 15% in 2009/2010; life expectancy at birth has increased for both men and women; the total fertility rate has decreased over the last decade with women on average having 2:1 children; child survival has improved significantly and the maternal mortality ratio

(MMR) has declined significantly since 1997. 33% of the population are between the ages of 0 and 17.⁶ Primary school enrolment rates are now almost universal, with 96.6% of girls and 97.3% of boys enrolled in school as of 2017.⁷

12. The Maldives have achieved five of the eight MDGs before 2015, making it the first ‘MDG plus country in the South-Asia region.’⁸ Since the 4th and 5th Periodic Report (2012), the country’s overall Human Development ranking increased significantly, going from 109th of 187 countries in 2011 to 101 of 189 countries in 2018.⁹

13. Despite progress, the country’s Gender Inequality Index (GII) continues to worsen, dropping from 52nd (2011) to 76th (2017) in ranking. This shift is primarily due to the low percentage of elected women Members of Parliament (6.5% in 2011 to only 5.9% as of 2018); a significant decrease in women’s labour force participation rate (LFPR) – from of 57.1% of women as compared to 77.0% men’s LFPR in 2011 to 42.9% of women as compared to 82.1% of men’s LFPR in 2017; and the increase in the MMR from 37/100,000 in 2011 to 68/100,000 in 2017.¹⁰ Given the Maldives small population base, in actual numbers the MMR represent a relatively low number of maternal deaths but result in wide fluctuations in the ratio each year. For example, in 2013, the MMR was 0/100,000, and in 2015, 72/100,000. Nonetheless, the MMR continues to be an area of concern for the Government, with on-going investments focused on ensuring more consistent and equitable access to quality maternal health services across all islands and atolls.

14. The GII ranking also shows areas of significant improvement: Maldives Demographic Health Survey shows age specific fertility rate (ASFR) of 10 per 1000 women remains the same for age group 15–19 2009 and 2016/2017 survey. As per the GII, the attainment of some secondary school education has not only improved for women and men, but the attainment gap between the two has also reduced, with 31.3% women and 37.3% men in 2011 having attained some secondary education, to 44.9% women and 49.3% of men in 2017.¹¹

15. Regardless of the remarkable achievements mentioned above, the Government continues to face challenges in ensuring consistent application of laws and regulations. Under all Articles of the CEDAW, some specific, cross-cutting challenges are:

- Improving but still limited consistent and robust inter-ministerial coordination in the implementation of the rapidly changing national legal and regulatory framework, and ensuring that local authorities across the islands are informed and bought in;
- Lack of harmonised monitoring and data on the impact of policies;
- Lack of adequate technical and financial resources to implement the policies;

⁶ National Bureau of Statistics, “Asia and Pacific Population Conference Mid-Term Review Report (2013–2017): Maldives”, 2018, page. 10.

⁷ Ministry of Education, “School Statistics 2017”, page 5 (https://www.moe.gov.mv/assets/upload/STAT_BOOK_2017.pdf 2017).

⁸ National Bureau of Statistics, “Asia and Pacific Population Conference Mid-Term Review Report (2013–2017): Maldives”, 2018, page. 10.

⁹ UNDP, “Human Development Indices and Indicators: 2018 Statistical Update”, page 27, 2018.

¹⁰ Comparing the Gender Inequality Indexes from the UNDP Global Human Development Report 2011 and the UNDP Global Human Development Indices and Indicators – 2018 Statistical Update publications (pages 140 and 39 respectively).

¹¹ Comparing the Gender Inequality Indexes from the UNDP Global Human Development Report 2011 and the UNDP Global Human Development Indices and Indicators – 2018 Statistical Update publications (pages 140 and 39 respectively).

- High level of turn-over of civil servants in the Public sector, including among Health personnel, a significant number of which are expatriates;
- Limited awareness among the society about their rights, in the face of rapidly evolving laws and policies.

16. As with the challenges in realising the Sustainable Development Goals (SDGs), implementation of the CEDAW must be contextualised by geographic insularity coupled with a dispersed population and high transaction costs which result in limited potential for economies of scale.¹² For advancing gender equality, this means that while under all policy measures, in the last ten years, each atoll has a hospital; and each inhabited island is served by a Magistrate’s Court, Police and at least a basic Health Centre.

17. In the Maldivian context, one cannot overstate the importance of local women and men leaders across isolated islands, championing the principles of gender equality as enshrined in the CEDAW. The negative impact of gender norms on both girls and boys persists. Conservative factions continue to push back on the gender equality gains made, and through the use of social media, may at times incorrectly “interpret” Maldivian culture and Islamic principles in a manner which hinders the advancement of women and girls’ rights, and at times specifically endorses practices such as early marriage. The Government is committed to make necessary changes in policy, conduct programs and raise awareness on eliminating traditional gender stereotyping and bias at all fronts.

Progress in Implementation of the 2015 Concluding Observations to the 4th and 5th Periodic Report

Articles 1–3

Discrimination and obligations of State parties

18. On the CEDAW Committee’s COs related to expeditiously adopting the gender equality bill and ensure that it includes a definition of discrimination, in conformity with article 1 of the Convention, encompassing both direct and indirect discrimination in the public and private spheres, as well as the principle of gender equality, in line with article 2 of the Convention; as well as the CO on ensuring the incorporation of the CEDAW into national legal systems so as to make the provisions directly applicable and enforceable by the Courts, the primary strategy used by the Government of Maldives to ensure applicability of CEDAW principles is through the revision and/or adoption of national legislation and regulatory frameworks that creates obligations within the national laws to uphold CEDAW provisions.

19. As such, Article 17(a) of the 2008 Constitution of the Republic of Maldives prohibits gender-based discrimination, stipulating that all citizens are entitled to the rights and freedoms included in this Chapter without discrimination of any kind, including race, national origin, colour, sex, age, mental or physical disability, political or other opinion, property, birth or other status, or native island. Further, Article 35 of the Constitution guarantees to all persons, in a manner that is not contrary to any tenet of Islam, the rights and freedoms and provision of special protection to vulnerable groups, including children, adolescents, elders, and people with special needs.

¹² Ministry of Environment and Energy, Government of Maldives, “Voluntary National Review (VNR) for the High-Level Political Forum (HLPF) on Sustainable Development 2017 Republic of Maldives”, page 2, 2017.

20. Even though there is no explicit definition of gender discrimination provided within the Constitution, the Government of Maldives believes that the GE Act adopted during this reporting period bridges that gap. In that regard the GE Act prohibits discrimination on the basis of gender, ensures the definition of discrimination aligns with the CEDAW principles, and promotes gender equality in all aspects of public and family life. The GE Act outlines explicit duties and responsibilities on the State and private parties in ensuring that gender based discrimination is eliminated, women are provided an equal platform at all fronts of development, prohibits victimization and introduces remedies to combat gender based discrimination. The Act further calls for all the institutions to establish a complaints mechanism to address acts of gender based discrimination, and a minimum standard to be adhered when formulating such complaints mechanism was published on the Government Gazette on 12th June 2017. All public and private sector employers are required to follow the minimum standards and establish the complaint mechanism within three months of the enactment of GE Act. The Act further requires these institutions to keep MOGFSS informed on the guidelines adopted and mechanisms established to this respect. According to the MOGFSS data, to date, 38 institutions have established the stated complaints mechanism.

21. The GE Act also requires the adoption of a National Gender Equality Action Plan. In 2017, the Draft Action Plan was prepared in consultation with authorities and civil society. The Draft Action Plan as it stood then, consists of five main target areas: leadership and governance, economic development, institutional gender mainstreaming, gender-based violence and access to justice. Due to changes within the MOGFSS and the political turbulence in Maldives, finalisation and formal adoption of the Plan was delayed. However, with the smooth transition of power and new administration in place, adoption of the National Gender Equality Action Plan has been set for 2019. Most importantly, the GE Act creates positive obligations over both public and private sector alike, to promote and pave way for development of women in terms of acquiring managerial positions and leading political movements.

22. The Government has long identified the need for the adoption of legislation which would prevent Sexual Harassment in public spaces. A 2011 Human Rights Baseline Survey conducted by the HRCM reported that men grabbing a women's hand in public or making obscene or offensive comments had happened to over one-fifth of female respondents. According to the Baseline, in the workplace, "there is a relatively high level of the use of sexually suggestive/obscene language. This happens slightly more in a rural environment (12.5%) than in urban workplaces (10.3%). There is now a lower incidence (as compared to a similar 2005 Baseline) of the more intimate forms of sexual harassment, but these tend to happen more to rural women than urban women. The most common response of women to sexual harassment at work was to do nothing. At most, they told a friend, family member or colleague at work what happened. The main reasons for this lack of action was their fear of not being believed; fear of people knowing/ bringing bad name to the family, embarrassment and shame".¹³

23. Brining the above fears and realities into the public discourse, the Government's adoption of Law Number 16/2014 (Prevention of Sexual Harassment Act) provides the necessary legal protections for women in both public spaces and in the work place. Under the Act, in workplaces where there are 30 or more people, a complaints mechanism is required to be established in each Government Institution, President's Office, independent statutory body, Secretariat of the Parliament and Courts of Law – and should be made up of a minimum of three persons (including at least one woman)

¹³ Human Rights Commission of Maldives and UNDP, written by Peter Hosking, "The "Rights" side of Life: Second Baseline Human Rights Survey", 2011, page 4.

and never including the persons against whom the complaint has been lodged. Where there are fewer than 30 people, the Employment Tribunal would investigate sexual harassment cases.¹⁴

24. On the CO requiring a systematic gender review of its legislation as part of the on-going legal reform with a view to bringing it into full compliance with the Convention and ensuring all discriminatory provisions, including family and criminal law provisions, are repealed or amended, as stated in above, the Government's amendment and adoption of various policies since 2008, including the Constitution, have addressed many of the primary requirements in terms of non-discrimination. The exception to this remains Family Law's application in the country, and this is anchored to the impact of gender socialisation of society – including the Judiciary – which may result in interpretation of social norms and Shari'ah Law which hinder and at times harm women and girls' full development (See Article 16 below). The Constitution of Maldives prohibits enactment of laws that are in contravention to any tent of Islam therefore, Islamic principles are readily used by the adjudicators in interpreting and application of all legislation. Having said that, it is important to note that the Constitution recognizes and upholds convention principles as well, in application of law and allows for the courts to refer to established practices in democratic societies. The AGO'S launch of a Legal Audit of all laws and regulatory frameworks from a human rights, international obligations and Constitutional perspective in late 2018 will identify any remaining gaps in the national legislation vis a vis gender-based discrimination.

25. Since last reporting period there have been two major changes to the Ministry's mandate. At present, the Ministry has been changed to Ministry of Gender, Family and Social Services (MOGFSS). On the CO requiring the strengthening and structure of the newly restructured Ministry of Law and Gender so as to ensure adequate decision-making powers, including to effectively coordinate gender mainstreaming at all levels. The current National Women's Machinery (NWM) in the Maldives is comprised of the MOGFSS (including its Gender Department, as well as those departments responsible for the Family and Children Service Centres (FCSCs) on the island) who is tasked with coordination and monitoring of gender equality commitments; the inter-ministerial GFPs Network; and the Women's Development Centres (WDCs) established in all inhabited islands. A persistent lack of budget and human resources, as well as limited understanding among ministries and the Island Councils (who oversee the WDCs) that they – along with the MOGFSS – have shared responsibilities to advance gender equality, continue to impede the full functioning of the further, none of the GFPs have terms of reference outlining their responsibilities vis a vis gender equality. That said, it is a primary pledge of the Government to enable a true system of decentralisation with enhanced powers and authorities to the councils.

26. As required under the GE Act, the Government is committed to improving the stability of staff contracts under the Gender Department and the FCSCs in the Atolls so as to secure strong technical capacities; increasing the national budgetary allocation to the Gender Desk, while also seeking to mobilise greater funding from international development partners; and strengthening awareness and capacities of the Island Councils and the WDCs around the GE Act and related policies.

27. In terms of provision of systematic resourcing and training of government staff and officials on the international and national gender equality commitments of the Maldives, the MOGFSS, the FPA, the HRCM, Ministry of Education (MOE), Ministry of Health (MOH) and the AGO have each lead, often through the support of the United Nations, trainings on the DVPA, the GE Act, the Prevention of Sexual

¹⁴ Government of Maldives, "Prohibition of Sexual Harassment Act (English Translation) 16/2014".

Harassment Act, the Sexual Offenses Act, the use of sectoral case management protocol under the DVPA, and the requirements under the CEDAW, as well as the complementarity of the principles of gender equality and Islam.

Article 4

Temporary special measures to accelerate substantive equality of women and men

28. On the Committee's CO regarding temporary special measures (TSMs) in the Gender Equality Act and implementation of these, including measures to address the disadvantages and inequalities faced by women outside Male and in remote islands, migrant women, women with disabilities and women heads of household, since 2008, under the leadership of the MOGFSS, efforts have been made to establish TSMs among political parties to increase women's leadership, but with no success. There is no specific study or finding however, below are some challenges that women face in competing and winning:

- Women find it difficult to get funds and lack of support they receive from families and community in participating politics;
- Not being plugged into the right networks to make them successful when they try to raise funds;
- Economic, religious, social and cultural factors contributed to women's poor political participation.

29. The 2011 Human Rights Baseline Survey captured that overall respondents were split equally about whether democratic reforms had been successful, with urban respondents being more positive than rural respondents. However, whereas more men consider the reforms to have been successful, a majority of women consider the reforms unsuccessful.¹⁵

30. Currently, the TSMs established to tackle gender-based inequalities include commitments under the Ministry of Economic Development (MOED) to significantly increase the number of SMEs owned by women, women's business start-up capacities, and women SME owners' access to loans. Additionally, the Ministry of Fisheries, Marine Resources and Agriculture has established quotas to increase the number of women accessing loans under a series of initiatives (see Article 13 below).

31. In 2014, and under the leadership of the President's Office, the Capital Market Development Authority (CMDA) amended the Corporate Governance Code in 2014 and mandated all Board of Directors to have a minimum quota of 2 female members. The authority targeted to fulfil 33% of female representation in the sector by the end of 2016. CMDA has publicly announced for those interested to be elected as board members to be registered under CMDA and the requirement under GE Act that all political parties shall work towards promoting women's role in political activities.

Article 5

Modifying social and cultural patterns

32. On the Committee's COs related to tackling the gender norms and subsequent stereotypes, which lead to all forms of gender-based discrimination, including harmful practices.

33. As the 2011 Human Rights Baseline Survey has indicated, a significant proportion of Maldivian population (one-third) believe that human rights and the

¹⁵ Human Rights Commission of Maldives (HRCM) and UNDP, written by Peter Hosking, "The "Rights" Side of Life: Second Baseline Human Rights Survey", 2011, page 1.

principles of Islam are mutually supportive. Nonetheless, another one-third of the population believe the opposite, with women respondents more likely to fall within this latter category, in part because many advances on gender equality have faced backlash among religious leaders in recent years.¹⁶

34. This backlash is captured in the 2011 Baseline Survey, whereby in the 2005 Baseline Survey, nearly 85% of men strongly agreed, or agreed, that women should have equal rights in family matters, and in 2011 this reduced to 67.3%. Women's perception of their own equality also dropped within that time frame, from 85.9% in 2005 to 80.7% in 2011 believing in this. In 2005, more men than women believed it was wrong to hit their wives. In the 2011 Survey, this was reversed, with more women than men now thinking hitting a wife is inappropriate. In the case of refusing sex with one's husband, small majorities of both men and women now believe that this is not within her rights to refuse. This represents a decline from the 2005 results.¹⁷

35. The above represents the challenges which remain in tackling harmful gender norms which result in gender stereotypes, and are at the root of discrimination and inequality. The Ministry of Education's revised curriculum affords the country with an incredible opportunity to systematically tackle gender stereotypes. Rolled out in 2014 for primary and secondary schools, the revised curriculum (see Article 10 below) incorporated a review of content to ensure elimination of traditional gender stereotypes in images and text, and has worked with the national institutions to deepen teachers' awareness of the impact conveying traditional gender stereotypes have on girls and boys.

36. In this reporting period, the majority of Government interventions to address the social and cultural patterns which perpetuate gender-based discrimination were focused on the issue of gender-based violence (GBV) and in particular, DV. Under the country's second Maldives Domestic Violence Prevention Strategy (MDVPS 2017–2021) a significant portion of the goals and targets are focused on addressing the root causes of GBV – namely the social norms, and within these the gender norms, which perpetuate gender-based discrimination.

37. MOGFSS and FPA, through national dialogues, knowledge-papers, discourses, and awareness raising campaigns have stressed that “religious” practices used as excuses for perpetuating GBV are in fact traditions which pre-date religion. Both MOGFSS and the FPA are increasing efforts to partner with the Ministry of Islamic Affairs to mobilise gender equality champions among religious leaders on key concepts, including marital rape. Additionally, a series of awareness raising campaigns and gender equality sensitisation initiatives were carried out in the reporting period. In 2016, MOGFSS supported the “KURIMAGU” campaign, a door-to-door campaign to mobilise greater understanding among society about the importance of gender equality. Roll out in all islands of the Lhaviyani Atoll, the campaign also focused on creating awareness about DV and GBV. Gender sensitization of officers enrolled in the Maldives Police Service was conducted over a four-month period in 2017, reaching a total of 219 police officers. In addition, MOGFSS conducted Training of Trainers on Gender Equality of senior officials for both government and government companies.¹⁸

38. As a result of sensitisation since the 2012 adoption of the DVPA, a key achievement is the depth of understanding nation-wide of DV as a concept, one which

¹⁶ HRCM and UNDP, written by Peter Hosking, “The “Rights” side of Life: Second Baseline Human Rights Survey”, 2011, page 2.

¹⁷ Human Rights Commission of Maldives and UNDP, written by Peter Hoskin, “The “Rights” side of Life: Second Baseline Human Rights Survey”, 2011, page 2 and 3.

¹⁸ National Bureau of Statistics, “Asia and Pacific Population Conference Mid-Term Review Report (2013–2017): Maldives”, 2018, page 42–43.

has an understood term in the national language, and which reflects an increased understanding that DV is not culturally acceptable.¹⁹

Article 6

Violence against women

39. Maldives Demographic Health Survey 2016/2017 shows that 22% of women aged 15–49 have experienced either physical or sexual violence or both. One quarter (24%) of women aged between 15–49, reported to never had experienced physical, sexual or emotional violence by either a current husband or partner (if currently married) or the most recent husband or partner (if divorced, separated or widowed). 17% of ever married women experienced physical, sexual, or emotional violence in the past 12 months either sometimes (8%) or often (8%).

40. Regarding the Committee’s COs to adopt specific legislation, within a clear time frame, to criminalize marital rape without any exemptions, while Sexual Offences Act 2014 does not categorically criminalize marital rape, it allows for four circumstances of unacceptable sexual relations between the spouses, marking this as the first-time marital rape was identified in a law in the Maldives. These circumstances include: (i) while a case for dissolution of the marriage is in a court, (ii) while the divorce is pending in a court, (iii) sexual intercourse to intentionally transmit a communicable disease, and (iv) during a mutually agreed separation (without pending divorce proceedings). Further, under the new Penal Code, rape in all scenarios is criminalised, and while the Code upholds the concept of marriage as a state of consent, it also recognises that this “consent” can be rebutted, without laying any parameters as to how this would be done, thereby giving flexibility for its allocation (Section 27 (c) (4) of Penal Code provides circumstances in which consent can be rebutted). While these legal remedies, as well as institutional measures such as the Fiqh Committee (Fiqh Committee has published an opinion on the issue of marital rape, however, it is worth noting that such decisions are not legally binding in the sense that contravention could result in a penalty, but the Fiqh Committee is a statutory body with the legal authority to publish preaching on controversial religious issues) address marital rape, the concept itself is not well understood nor seen as existing in society. This was also seen in the atoll consultation for this report.

41. In a country where nearly 99% of women consider sexual abuse of girls to be a serious problem, the adoption of the Act has had significant implications for the protection and response to girls and women’s risks to abuse.²⁰ The establishment of the Witness and Victim Support Unit and the Family and Child Unit (established in 2015) within the PGO has significantly improved not only the overall support to the survivors of DV and sexual assault, but these Units have also increased coordinated case management of the cases of child abuse so to provide necessary psycho-social support and counselling.

42. The AGO and the PGO, as well as the FPA, have all invested efforts to increase awareness on the law, capacity of Police, social workers and Island Councils on the Sexual Offences Act (along with the DVPA) during this reporting period. Further, the PGO collaborated with UNICEF to roll out a training of trainers of prosecutors who have in turn, trained 99 prosecutors across the country (as well as police officers) on DVPA, Child Abuse, and the Sexual Offences Act. The FPA has conducted 85 trainings and awareness raising workshops on DVPA, Sexual Offenses, and Healthy Lifestyles in this reporting period.

¹⁹ Family Protection Agency, “National Domestic Violence Conference Report (Draft)”, 2018.

²⁰ HRCM and UNDP, written by Peter Hosking, “The “Rights” side of Life: Second Baseline Human Rights Survey”, 2011, page 3.

43. Nonetheless, prosecution of sexual offenses continues to be challenged by the fact that there is limited evidence mainly owing to inadequate investigation procedures by the Police on the islands, as well as limited capacity of the health care professionals to screen cases and properly capture evidence. At present, PGO has established branches of the office in 9 of the 19 Atolls, and while this is important progress in a short period of time in terms of ensuring the application of key criminal legislation, it is important to ensure in the coming years that the remaining 10 Atolls also have this service. Currently, the FPA is establishing the Sexual offender's registry under Section 47 of the Sexual offences Act 17/2014.²¹

44. On the COs related to ensuring the effective implementation of the DVPA, this has been a key area of advancement in the reporting period. The Act adopted in 2012 describes DV as a criminal offence; determines provisions for the prohibition and prevention of DV; outlines measures to be taken against persons who commit DV; protection of and support for victims of DV; and the role of the relevant State authorities.

45. Under the DVPA, the FPA was established in 2012, and is responsible for the oversight, monitoring and coordination of authorities under the Act, as well as generation of research, awareness and capacity development. The FPA has rolled out two Maldivian National DV Prevention Strategies (current 2017–2021). To address some of the concerns flagged above, the current MDVPS stipulates that its successful implementation lies in: all relevant stakeholders taking full ownership; strong political leadership from all parts of government; ensuring there is a collaborative and integrated approach among all agencies/departments under the plan; ensuring the plan's goals and targets are well-communicated to all implementing agencies and partners; and continuous monitoring and evaluation of the plans' implementation.

46. To date, under the MDVPS, the FPA has established "Service Mapping" under the DVPA which helps in identifying the available current services, their quality and limitations/gaps; and established a regulation for social providers on providing the service to survivors of GBV.

47. The MOGFSS has established four shelters for survivors of DV; and there are 19 FCSCs covering all Atolls of the country (and thus serving multiple islands). The FCSCs provide social work support and for rural areas, are considered – alongside the Police – as the main service provider within DV case management on the islands.

48. In terms of sources of help for women who experienced physical or sexual violence, most common sources of help reported in MDHS 2016/2017. (See the table below). Under the Action Plan, on-line "Guidelines" were established which function as the Health Sector's protocol of medical screening, examination and response to cases of GBV. In terms of sources of help for women who experienced physical or sexual violence, most common sources of help reported in MDHS 2016/2017 were family (59%). Other common sources of help were friends (23%), police (13%), and husbands/partners (8%). It is not common for women who have experienced physical or sexual violence to seek help from service providers such as lawyers, doctors/medical personnel, and religious leaders. A mandatory training for all Health personnel, MOH is aiming to strengthen the number of personnel who have completed the course, as initial consultations indicate that many of the health care workers on the Islands – foreign and national – have never heard of the Guidelines. A large portion of health sector personnel are expatriates and do not speak the language. As such, in the rural areas, in the majority of instances, a translator must be in the room when a doctor is treating any local patients, and this hinders patients' openness and risks confidentiality in the small island communities. Both MOH and FPA are

²¹ Government of Maldives, Law No. 17/2014 Sexual Offences Act (English Translation), 2014.

concerned that there is limited awareness among personnel about the prevalence of DV, thereby impacting effective screening.

<i>Source</i>	<i>Percentage</i>
Family	59%
Police	13%
Husband/Partner	8%
Friends	23%

49. The FPA has developed and rolled out a standard 5-Day Training on DVPA for all responsible bodies under the DVPA, including the Maldives National Defence Force; Teachers; Maldives' Police Service and the Victim Support Unit Officers; Faculty of Health Science; parents and students at a number of schools; NGOs; community-based social workers. Future work is focused on, in partnership with MOE, developing a standardised, age-appropriate DV Awareness programme for children within the schools; Enhancing emergency and support care service and protocols to survivors of domestic violence (both adult and children) within health and other related environments; in partnership with MOH and significantly strengthen partnerships with a diverse range of stakeholders, including Island Councils who are an important first line of defence across the islands.²² In addition, the FPA is seeking to establish a Legal Aid Pool; and formulating a rehabilitation program for Domestic Violence offenders.

50. The FPA has also launched a series of social media campaigns on root causes of GBV and what citizens' rights are under the DVPA, as well as a "Healthy Relationship" campaign and manual targeting youth ages 18 to 25, through the support of UNDP.

51. Within the reporting period, authorities have found that the DV interventions, while strategic and in-demand, remain under-funded and under-resourced with key institutions lacking resources, the need for greater coordination among service providers responding to DV survivors, and greater clarity on the roles and responsibilities among various government bodies. The recently enacted General Regulation on the Prevention of Domestic Violence establishes steering and technical committees representing sectors across the countries in order to ensure a decentralised approach through collaboration and coordination of responding to DV across the country.

52. Access to justice under the DVPA is improving, but too slowly. Magistrates in the Islands are applying the DVPA largely in cases of physical violence only, although the approaches indicate that in many instances, the Magistrates try first to reconcile the couple. The DVPA provides for the victim to apply for Protection Orders which will be implemented by the Maldives Police Service. The number of DVPA case presented to Magistrates remains low in comparison to the number of cases reported by FPA overall. This could in part, be due to the DV survivor's lack of willingness to prosecute the perpetrator due to lack of faith in the system, fear of social stigma, family pressure, and financial pressure and risk associated with removing one of the primary wage earners from the home. The access to legal practitioners has dramatically increased due to a large number of local graduates. Admittedly, it is difficult to access a lawyer in smaller islands but lawyers can be accessed in islands with a large population. While cost of travel remains to be an issue, Government observed that the number of lawyers travelling from Male' to these islands have

²² FPA, "FPA Priority Areas with Health and Education Sectors for 2019", 2018.

increased in comparison to the numbers in the past. However, legal aid program of the Government extending only to perpetrators of major criminal offences continue to be an obstacle to the extent which DV survivors' resort to judicial remedies. The Government however, is committed to establishing a Public Defender's Office which will remedy this situation.

53. In the six years since the Act's adoption, awareness about the DVPA's provisions among society is increasing, albeit slowly. Additional training is required for the Police to be better able to sensitively manage DV cases in a situation where there are very few female police officers – only 12% of the Police force are female. For Magistrates, the situation is equally challenging in terms of limited resources available as legal literature and training which they could rely on to adjudicate over such sensitive matters. The Government, however, has pledged to increase the quality of justice and provide training to the adjudicators over human rights, gender issues and modern legal developments through the Government's judicial reform agenda. The Government hopes that this will bring about positive changes in the manner which judges in islands attend to cases of DV and in the interpretation of DVPA and other family related legislation.

54. In terms of the COs around enhanced monitoring of the implementation of the DV Prevention Act and strengthened data collection a significant investment has been made by the FPA to harmonise collection of administrative data on DV cases (see Annex 2). At present, FPA generates monthly reports on cases of DV, based on inputs from MOGFSS through its FCSCs, the Police Force, and FPA's own referrals from individuals. There continues to be challenges in collecting harmonised data from the Health Sector and the Police, in part because the latter's collection of information has a different purpose and system than the FPA and line Ministries. Further, cases of DV and cases of child abuse are at times mixed, so the FPA has been working with Police and Health to improve the coding of cases to strengthen administrative data collection under the DVPA.

55. Regarding the Committee's COs around strengthening the implementation of the Prevention of Human Trafficking Act, including the allocation of adequate human, financial and technical resources, establishing appropriate protocols, and systematically collecting data, since government began enforcement of the Law Number 12/2013 (Anti-Human Trafficking Act) in 2013, PGO has been prosecuting cases, in collaboration with the Police. It has been observed that the majority of victims of human trafficking having been brought in for sex work, and a smaller number for forced labour.

56. In this reporting period, the Government has adopted an on-line case management system for Human Trafficking and has elevated the status of the Government Anti-Human Trafficking Department under the authority of the Police, thereby allowing for increased resources. Further, Government has established a pre-departure screening system for Bangladeshi migrant workers in part to reduce fraudulent recruitment.²³ Despite these advances, in the 2018 Trafficking in Persons Report of the U. S Department of State, Maldives has been downgraded to the Tier Two Watch List.

57. Since the Act's adoption, the PGO has received eight cases. In seven cases, charges have been filed and one case has led to a conviction. In three cases, the court has acquitted the accused persons. In 1 case PGO declined to prosecute as the witnesses have been deported prior to the cases being lodged at PGO. The prosecution of these cases is often challenged by language barriers, with many victims coming from Bangladesh and Southeast Asia, lack of documentation, and response to the

²³ US. Department of State, "Trafficking in Persons Report", 2018, page. 289.

needs of victims being severely curtailed by the lack of services in terms of safe spaces, psycho-social support. The establishment of a Victim Support Unit in the PGO has assisted in identifying some services to support survivors of trafficking. In a number of instances, the Embassies of the victim's home country will provide support in the placement of the individual into a safe space. The PGO systematically advocates with the Judiciary to allow for the victims to be repatriated to their home countries once their statements have been taken, and while in some instances this is agreed to, many Judges are reluctant to have the victim repatriated prior to the conclusion of the case.

58. Regarding the Committee's COs on strengthening statistical and disaggregated data on the extent and magnitude of prostitution, and developing measures aimed at preventing the exploitation of prostitution of women and girls, the Government has not made any significant progress in this area due to lack of resources to conduct such research and also this is an unexplored topic which needs to be prioritized. At present, the only data available on prostitution is the number of cases investigated by the Police and prosecuted by the PGO. Since the inception of the new Penal Code, 12 cases have been prosecuted. There have been cases reported on operation of brothels. However, confirmed statistics are not available. It is understood that brothels have operated under the guise of "Health Spas" catering to nationals, foreign expatriate community, as well as tourists. The sex workers are both Maldivian and foreign nationals. Prosecution is focused on the "clients" and the brothel owners. While laws do allow for someone selling sex to be prosecuted, this is only in cases where there is evidence of no coercion into the sex trade, which is rare. In those rare instances where the sex worker does not appear to have been coerced into the sex trade, the PGO will not prosecute if there is any evidence that the individual has mental instability, has faced abuse himself or herself, and is in dire economic circumstance. It is noted by local authorities that there is an increased awareness about "transactional" sex and its prevalence, particularly among adolescents and young adults. There is also evidence that minor girls are coerced into prostitution by mothers for generating income for the family."²⁴ In the cases of local women or girl sex workers on the islands, the Police will investigate the clients, but it is the women and girls who are ostracised and provided no support to address the root cause of the situation.

Articles 7–8

Equality in political and public life at the national and international levels

59. Regarding the Committee's COs around TSMs and awareness raising to increase women's leadership, while efforts have been made in the past to secure a TSM around women's leadership in elected positions, there has been little success. In 2017, only 5 out of 85 seats are held by women in parliament (or 5.9% of Parliament); and in the 2017 Local Council Elections, women made up only 6% of elected local councillors. Women comprise 36% of the Cabinet as of November 2018 (increased from 15% under the previous administration in 2017) this as an achievement of the Government of Maldives, 20% among Ministers of State, 15% among Permanent Secretaries and 26% among corporate representation.²⁵ In the public sector, 19.5 % of women are in

²⁴ [CRC/C/MDV/4-5](#) Committee on the Rights of the Child/Government of Maldives, "Combined Third and Fourth Periodic Report of the Government of the Maldives to the CRC" (2013), page 56.

²⁵ Ministry of Environment and Energy, Government of Maldives, "Voluntary National Review (VNR) for the High-Level Political Forum (HLPF) on Sustainable Development 2017 Republic of Maldives", 2017, page 11&12.

managerial positions as of 2016,²⁶ and women make up 55.6% of the civil service overall.²⁷

60. In the judiciary, while there has been progress in this reporting period, it is minor. The courts have gone from 7 in 2016 to 9 female judges as of 2018, accounting for 4.8% of Judges nation-wide. At present, 40.16% of employees working in the judiciary, and 40.67% of court officers are women. Over 55% of the technical staff in the PGO and 56%²⁸ of all lawyers nation-wide are women. Furthermore, 66.67% of Attorneys at AGO are also female. In a country, which has a historic shortage of lawyers, the engagement of women into the legal profession and within the PGO and AGO is an important milestone achieved.

61. The Maldives Association of Tourism Industry has made efforts to ensure greater inclusion of women in decision-making positions. Currently, its Executive Board has three women leaders in the tourism sector on the Board.

62. In 2014, and under the leadership of the President's Office, the Capital Market Development Authority (CMDA) amended the Corporate Governance Code and mandated all Board of Directors to have a minimum quota of two female members. The authority targeted to fulfil 33% of female representation in the sector by the end of 2016. Even though this target has not been achieved in 2018, CMDA is working pro-actively to advocate and promote women's representation as board members (see Annex 5)

63. To increase national acceptance of women as leaders, the MOGFSS has promoted women as role models through the "Rehendhi Award" awarded to recognise remarkable Maldivian women and their contribution to national development. From 2014 to 2019 a total of 31 outstanding women have received this prestigious national award.

Article 9 Equality in nationality laws

64. Regarding the Committee's CO around the nationality laws in order to remove discrimination against foreign women who have children with Maldivian men out of wedlock with regard to the transmission of nationality, the Government wishes to correct this CO. Maldivian women and men have full and equal rights to pass along their nationality to their children, regardless of the nationality of the other parent. Article 9 of the Constitution of the Republic of Maldives states that, a) Citizens of Maldives at the commencement of the Constitution; b) Children born to a citizen of Maldives; c) Foreigners who in accordance with the law becomes citizens of the Maldives; would be identified as Maldivian citizens. Children born in the Maldives where both parents are both expatriates are not eligible for citizenship. Unless an application to acquire, the citizenship is made as per the law and regulations governing the matter.

Article 10 Equality in education

65. On the Committee's COs around education, specifically regarding improved support for girls' educational attainment in rural areas including higher education, one of the key achievements of this reporting period is near universal primary net enrolment rates (NER) for both girls and boys (96.6% and 97.3% respectively) and

²⁶ National Bureau of Statistics, "Maldives: Data updates on Sustainable Development Goals", 2018, page 35.

²⁷ National Bureau of Statistics, "Women in Maldives – 8th March", 2018.

²⁸ National Bureau of Statistics, "Women in Maldives – 8th March", 2018.

secondary school NERs of 91.8% boys and 84.3% girls. 78% of children are in pre-school and 93% of all children are enrolled in kindergarten, with no disparity between girls and boys.²⁹ As a direct result of the increase in overall primary education, functional literacy rates of persons between the ages of 15 and 24 is significantly higher than for the overall adult population – at 97% for females and 96% for males (as of 2014); as compared to all persons over the age of 15, with 76% of males and 70% of females functionally literate.³⁰

66. The above shift is due in large part to the Government’s education policy “No Child Left Behind” which now guarantees 14 years of free education starting at age 4 (pre-primary), and increased efforts have been made to improve accessibility and inclusion for children living with disabilities.³¹ Since 2014, enrolment rates have been rigorously monitored, and consultations with teachers indicating that there is little difference between the NER and the net attendance.

67. As part of a complete revision of the national primary and secondary school curriculum (rolled out in 2014), the Government with the support of UNICEF, conducted a review of the previous curriculum to tackle gender stereotypes and negative gender norms. As part of the overall curriculum reform, the Ministry of Education (MOE) has partnered with the National Education Institution and the Faculty of Education at the Maldives National University to revise pedagogical approaches, and within this, awareness sessions are included on how gender norms shape society’s expectations of girls and boys and subsequently negative impacts or limits both genders’ advancement and educational attainment and focus. However, the validation workshop of this report indicated that there are still traditional stereotypes in curriculum and textbooks. MOE will continue to monitor the teachers’ perceptions on issues of gender norms.

68. In 2013/2014, MOE conducted a Baseline survey to measure teachers’ attitudes across a range of issues, and they intend to conduct another Baseline at the end of the piloting of the curriculum in 2020 and will include perceptions of gender norms. The new curriculum, which also includes new methodologies for assessing student performance and pedagogical methodologies, has been rolled out in stages among differing age groupings, and in the 2018–2020 period is to be rolled out among ages 14 to 16.

69. The new curriculum includes mandatory, age-appropriate SRH education titled “Healthy Life Styles”. The challenge of rolling out age-appropriate SRH education has been significant. Across the islands, many schools implement the course as anticipated. However, in many instances, principals, teachers and/or parents have objected and, in those islands, the SRH studies have been significantly curtailed or ignored. MOE is trying to raise awareness about the importance of the SRH curriculum among teachers and principals. Again, however, the impact of conservative leaders within the small island communities has a trickle-down effect, which may at times over-ride central government instructions.

70. In terms of NERs for tertiary level, 35.6% of girls as compared to only 26.7% of boys are enrolled.³² It is recognised that this national indicator is reflective more of urban enrolment, however. For rural girls and boys, engaging in higher education

²⁹ National Bureau of Statistics, “Maldives: Data updates on Sustainable Development Goals”, 2018, page 29.

³⁰ National Bureau of Statistics, Maldives: Data updates on Sustainable Development Goals, 2018, page 31.

³¹ National Bureau of Statistics, “Asia and Pacific Population Conference Mid-Term Review Report (2013–2017): Maldives”, 2018, page 31.

³² Ministry of Education, “School Statistics 2017”, page 5 (https://www.moe.gov.mv/assets/upload/STAT_BOOK_2017.pdf 2017).

often means leaving their island and moving to Male', a choice which is often cost-prohibitive for both genders, and for girls particularly, social norms make it challenging for their families to agree to them living away. As the above statistics illustrate, young women are out-performing young men in terms of tertiary enrolment, while consultations at the rural level indicate that this is primarily an urban reality. Traditional streaming of young women at the higher education level continues, with them predominating in the social sciences, as compared to young men tend to dominate in the sciences, engineering, IT and in vocational training. Interestingly, Commerce and Law Faculties are increasingly seeing equal numbers of both genders enrolled.

71. Regarding the Committee's CO on supporting educational attainment of pregnant girls of secondary school age, in instances where girls enrolled in secondary education become pregnant, the MOE works with the school – and upon the approval of the family – to ensure the mother completes her secondary education up to age 16. This will be achieved through the mother attending school after hours, or home schooling. If the mother determines that she does not want to complete secondary education, then she will be provided an opportunity to complete adult education courses, which may assist her in entering the labour market. Subsequently the alternative regime, which is the B Tech program introduced at schools though not specifically targeted for girls, presents an avenue to instil important skills in girls who may not necessarily excel at academics.

72. On the Committee's CO around provision of sex-disaggregated data on the position of women in the labour market and reduce the gender pay gap, including by addressing occupational sex segregation and enforcing the principle of equal pay for work of equal value, since 2008, there have been a series of labour laws enacted that promote and protect the rights of workers in formal employment.

73. The Constitution enacted in 2008 grants the right to work, organize trade unions, the right to strike and prohibits forced labour and discrimination. Article 37 (a) of the Constitution provides that everyone has the right to work. Article 25 (a) states that no one shall be held in slavery or servitude, or be required to perform forced labour. Article 31 allows for workers to strike and Article 38 states that all citizens have a right to earn pension. In May 2009 Maldives became a member of the ILO and is in the process of developing labour legislation, establishing labour administration, increasing labour market data and information, and initiating elements of social dialogue, tripartite dialogue, negotiation and collective bargaining to increase capacity and set up mechanisms to deal with labour relations and dispute resolution. An Employment Tribunal is established to enhance labour rights in general and is expected to afford better legal protection to migrant workers. The Maldives has ratified 8 core conventions of the ILO.

74. The Law Number 8/2008 (Employment Act) prohibits direct and indirect discrimination, provides for equal pay for equal work, maximum hours of work, overtime, annual and sick leave, guidelines for workplace safety, maternity and additional parental leave. In 2018, the newly elected Administration of His Excellency President Ibrahim Mohamed Solih, under the President's "One Hundred Day Pledge" committed to extending paid maternity leave from four months to six months; and paid paternity leave from three days to one month. This has been achieved as of 7th March 2019. Via the Employment Act, Employment Tribunal has been established to hear disputes and worker grievances. The Law further establishes the Labour Relations Authority, which too serves as an avenue to settle employment disputes.

75. The Government's adoption of Law Number 16/2014 (Prevention of Sexual Harassment Act) fills one of the remaining legislative gaps the country's legal

frameworks in ensuring non-discrimination in the workforce. Providing the necessary legal protections for women in both public spaces and in the work place. Under the Act, in workplaces where there are 30 or more people, a complaints mechanism is required to be established in each Government Institution, President's Office, independent statutory body, Secretariat of the Parliament and Courts of Law – and should be made up of a minimum of three persons (including at least one woman) and never including the persons against whom the complaint has been lodged. Where there are fewer than 30 people, the Employment Tribunal would investigate sexual harassment cases.³³

76. Although occupational segregation continues, the Government's significant achievement of ensuring near universal primary education and significant increase in girls' and boys' secondary and tertiary school level education attainment in the last eight years is only now beginning to impact the shape of the labour force. In terms of sex disaggregated data, the National Bureau of Statistics, MOGFSS and the international development partners have significantly closed the gap in understanding where women are engaged economically, what are their needs, and what are the attitudes of society in terms of women's gradually changing public role in the country.

77. The national labour force is largely comprised of employees (71%) and either "own account" or contributing family workers (approximately 20%). Employment is heavily concentrated in the service sector (70%), particularly in public administration (15%) and trade (13%). Industry accounted for 18% of total employment and agriculture for 9%.³⁴ Maldives has 6.1% total unemployment rate as of 2016, with men marginally more likely to be unemployed than women (6.1% of men as compared to 5.6% of women).³⁵ It is estimated that women living with disabilities are twice as likely to be unemployed than men living with disabilities.

78. The country continues to grapple with a low Labour Force Participation Rate (LFPR) of 58%. Men's LFPR is at 75% with women's LFPR only at 42%. These figures, when factored with the unemployment rate, still show the majority of the female population as being categorised as economically inactive.³⁶ While regionally comparable, Maldivian women's low LFPR continues to be a stumbling block for the country realising its full potential.

79. 35% of women state that their lack of labour force participation is due to lack of job opportunities. 28% state that it is due to an inability to get "suitable" jobs, where as 13% cite family responsibilities. 17% come under "other", and it is here where significantly more analysis is needed.³⁷

80. Consultations in writing the 6th Periodic Report at the rural and urban levels indicate that understanding these responses requires a greater understanding of the impact of gender norms in shaping the roles, the studies, the life trajectories that women and girls, and their communities, feel are "appropriate". 65% of all persons in the labour force have either secondary or tertiary level education.³⁸ Women and girls' educational attainment and performance is strong, and at tertiary level, higher than their male counterparts. Yet women and girls continue to be streamed into traditional areas of study, such as Education and Health. Women constitute 55.6% of the Civil Service (2016), although figures are not available as to what percentage of these women are in management positions. Women's strong showing in the public sector

³³ Government of Maldives, "Prohibition of Sexual Harassment Act (English Translation) 16/2014".

³⁴ National Bureau of Statistics, "Statistical Release III – Employment", 2016, page 21.

³⁵ National Bureau of Statistics, "Statistical Release III- Employment", 2016, page 21.

³⁶ National Bureau of Statistics, "Asia and Pacific Population Conference Mid-Term Review Report (2013–2017): Maldives", 2018, page 18.

³⁷ National Bureau of Statistics, "Women in the Maldives – 8th March", 2018.

³⁸ National Bureau of Statistics, "Statistical Release III – Employment", 2016, page 21.

perpetuates the belief, particularly in the remote islands, that there is no gender-based discrimination, despite the fact that women are seldom decision-makers within the fields that they dominate, with only 29% of all doctors being women, as compared to 90% of all nurses. 67% of all teachers are women, but only 12% of all police.³⁹ A National Pay Commission is established by Act No 20/2016 (National Pay Policy Act) and the current government is committed in fixing a minimum wage.

81. Regarding the Committee's CO on designing and implementing public policies to extend social protection coverage to women in the informal economy and self-employed women, national revenue and limited direct budgetary support makes the achievement of this observation very difficult. Please see Article 13 below for more details.

82. While Tourism accounts for 40.9% of the GDP (2017),⁴⁰ Maldivians typically occupy lower-paying jobs in a sector, which is dominated by foreign workers. On the smaller islands, outside of Public Sector, the main employment is in Fisheries and Agriculture, neither of which are seen as acceptable employment for women. For many men, the main option for employment is either in the Fisheries, which may mean multiple weeks away from home, or the resorts, which again means leaving their home island during the week. Staff employed in resorts find it difficult to travel back to their islands on a daily basis, and social norms make it unacceptable for women to stay on resorts away from their families for extended periods.⁴¹ Women's main economic engagement with the resorts on the islands is as cleaners, artisans who sell their crafts to the resort shops, or catering of local fare, all prepared by women home-based workers.

83. In addition to the social norms which shape girls' educational focus and which direct the labour force engagement, unpaid care work in the home remains the key challenge to women's full and robust labour force participation. Women spend on average six hours a day on unpaid care work in the home, as compared to men who spend 3 hours a day on average. Women's overall monthly earnings are MVR 7,510 (approximately USD\$487) as compared to MVR 11,977 (approximately USD\$776) for men.⁴² For many women in Male, and on the islands, day care is either unavailable or unaffordable. In a country where extended families living in a household is common, the lack of systematic care for the elderly further restricts women's engagement in the work force.

84. Article 19 of Law Number 8/2010 (Protecting the Rights of Persons with Disabilities and Providing Financial Assistance) has as its primary goal ensuring employment opportunity in a non-discriminatory manner and ensuring a non-discriminatory workplace for persons living with disabilities.

85. In 2016, the President then, requested all State-owned companies to provide jobs for persons living with disabilities (PWDs). MOGFSS established a focal point to monitor progress under the 2016 Presidential requirement. Of the 283 PWDs employed under the programme, only 27% were women.⁴³ An overall review was conducted of the challenges facing PWDs in the workspace, and while initial

³⁹ NBS, "Women in the Maldives – 8th March 2018", 2018.

⁴⁰ World Travel and Tourism Council, "Travel and Tourism – Economic Impact: Maldives", 2017. <https://www.wttc.org/-/media/files/reports/economic-impact-research/countries-2017/maldives2017.pdf>.

⁴¹ Human Rights Commission of Maldives, "Submission from Human Rights Commission of the Maldives on Issues of Concern for the combined fourth and fifth periodic report of the Republic of Maldives under the United Nations Convention on Elimination of All Forms of Discrimination against Women (CEDAW) Committee pre-sessional working group meeting June 2014, page 8–9.

⁴² National Bureau of Statistics, "Statistical Release III: Employment", 2016, page 21.

⁴³ MoGFSS, "Programme Brief – Jobs Provided for Persons with Disabilities", 2018.

indications are that women living with disabilities face greater risk of experiencing sexual harassment than women in the mainstream, the MOGFSS needs to conduct more in-depth analysis to better understand the specific work-place realities facing women living with disabilities overall.

86. On the Committee's COs regarding regulating and monitoring the working conditions of migrant women employed as domestic workers in order to protect them from exploitative labour, through increased inspections and the imposition of fines on abusive employers; the Maldives is yet to ratify the International Convention on the Protection of the Rights of All Migrant Workers and Members of their Families. According to figures, the number of migrant workers in the country nearly tripled recent years, and eight percent of these are women. In the Maldives, migrant workers are subjected to exploitation and abuse, including confiscation of identification documents, non-payment of wages, and inhumane treatment. Most migrants would not know the procedural information to lodge a complaint, and even if they are aware, most would be hesitant to disclose their undocumented status due to fear of deportation and heavy debt they had incurred in the informal migration channels. It is also crucial to highlight that in several cases migrant female domestic workers are restrained from leaving the employers home through threats and other means, and are at times trapped in situations of forced labour. There are migrant detention centres for deportation for men while women are kept in prison. In terms of legislation, Section 3 (a) (15) of the DVPA recognises domestic helpers as having a domestic relationship and therefore are eligible to protection under the Act. Similarly, Employment Act states the duties and responsibilities of the employer, breach of which may be penalised at the Labour relations authority or Employment tribunal.

Article 12

Health, including sexual and reproductive health and rights

87. The population of Maldives grew at a rate of 1.65 percent from 2006 to 2014 resulting with a population of 402, 071 in Census 2014 and a projected population of 512,038 as of 2018. Maldivians represent approximately 84% of the population with 43% males and 41% females, with 38% of the overall population residing in Male'. 33% of the population as children aged 0–17 years. The TFR has decreased over the years to a woman on average having 21 children per woman, which means that the Maldives has reached what is known as replacement level fertility, or the level at which population exactly replaces itself from one generation to the next.

88. On the Committee's COs related to improved obstetric health services for women, including prenatal and postnatal services, on all atolls and islands of the State party, in particular for rural women, by ensuring effective access to universal health insurance and by increasing the number of skilled health-care personnel the health care delivery system of Maldives is organized into a tier system with island level primary health centres, a higher level of health facilities with specialty care hospitals at atoll level and tertiary care facility at the urban level. Each inhabited island is required to have a Health facility. Each atoll (system of islands) has a hospital catering to the population of that atoll. The regional or atoll hospitals are graded to three levels, based on the level of secondary and specialist care. Health centres have four levels. Administratively, the regional or atoll hospital in each atoll acts as the main coordinating body in providing primary and curative health care in that atoll and each atoll covers a population of 5,000 to 15,000 people. Hence, to ensure access to health care, health facilities are established even if the population number is low.⁴⁴

⁴⁴ National Bureau of Statistics, "Asia and Pacific Population Conference Mid-Term Review Report (2013–2017): Maldives", 2018, page 20.

89. Within the above system, one of the greatest challenges of ensuring harmonised quality and accessibility of care across the 187 islands is the high turnover of medical personnel, with a significant portion coming from abroad; and maintaining a level of training and quality of care within this reality. Further, on many of the smaller islands, the Health Clinics are focused on primary care only, with limited equipment, no laboratory, and extremely limited gynaecological capacities. For all obstetrics and gynaecological care, women must travel by speedboat to the Atoll hospital or to Male' depending on the case, at cost and sometimes risk to pregnant women when seas are rough. Because of costs, pregnant women tend to only travel to the atoll either once signs of labour emerge.

90. In order to strengthen the services of antenatal, child birth and postpartum care, series of interventions are on-going with emergency obstetric care services being available in almost all health facilities at island level.

91. The majority of births (95% in 2011) occur in a health facility, with 85% in a public facility and 10% in a private health facility. According to 2009 figures, the proportion of births assisted by a skilled attendant was 95%, with 71% assisted by a gynaecologist; 9% by a doctor and 14% by a nurse or midwife. The coverage of postpartum/postnatal visits was 94%, with 67% receiving a postnatal check-up within two days of delivery and 3% of women had a check-up 3–40 days after delivery. The majority of women (92%) received a postnatal check-up from a gynaecologist, doctor or nurse/midwife.⁴⁵

92. Maldives has an integrated and comprehensive National Reproductive Health Strategy (2014–2018) and a review of the strategy has been conducted. The review showed that over 95% of government facilities were implementing Basic Emergency Obstetric and New-born Care as of 2016. Formulation work of a new strategy is planned for a period of 5 years starting in 2019.

93. Twenty years ago, Maldives had a high Maternal Mortality Ratio (MMR) of 259 per 100,000 live births (1997). The MMR has fallen steadily since that time due to significant investments in ensuring health care facilities and medical personnel were available on every Atoll, and basic primary health care available on all inhabited islands. Although an increasing trend was seen from 2007 to 2010, MMR has fallen to the rate of 44 per 100,000 live births in 2016. It should be noted that fluctuations are prominent due to the small population of the Maldives that causes the MMR to vary widely from year to year as a change by one death also causes a significant change in the ratio.⁴⁶

94. Regarding the CO on ensuring age-appropriate education on sexual and Reproductive Health and Rights, under the MOH Master Health Plan, there is strong emphasis on improved knowledge and access of young people to Sexual and Reproductive Health (SRH) services.⁴⁷ The National Family Planning guideline is non-discriminatory, and facilitates easy access to services. Its programs are devised to ensure that services are within reach to all individuals who need them. A range of contraceptives are available in all islands and coordination mechanism exists to guarantee proper management of contraceptive dissemination throughout the country. Knowledge on contraceptive methods is almost universal in the Maldives, with 98% of currently married women and 99% of currently married men age 15–49 knowing at least one method of contraception. Information on current source of modern contraceptive methods is important family planners and implementers. Almost half of

⁴⁵ Ministry of Health, "Health Master Plan", 2016, page. 23.

⁴⁶ Ministry of Health, "SDG Health Profile", 2017, page 16.

⁴⁷ Ministry of Health, "SDG Health Profile", 2017, page 28.

women using a modern contraceptive obtained it from public (government) source (49%), while 39% obtained it from a private medical sector.

95. As mentioned above, the MOE has rolled out age-appropriate SRH curriculum across the country, but with challenges. Further, despite the development of National Standards for Adolescent and Youth Friendly Health Services, and the piloting of these services in several parts of the country, the availability remains limited. MOH and partners are now considering how to better strengthen provision of SRH & family planning information and services for adolescents and youth; and identifying how to better raise awareness among youth about adolescent friendly services.⁴⁸

96. According to national data, the majority of young women in the Maldives have their first sexual intercourse after the age of 18, although the proportion of women who have sex before they turn 18 is high among women who live in urban areas and in Male' (8%) compared to those living in the atolls. The median age at first intercourse has increased from 17.0 years among women aged 45–49 to 21.8 years among women aged 25–29 years.⁴⁹ Findings indicate that as women are more educated, the longer they prolong their first sexual intercourse.

97. The 2009 DHS found that contraceptive prevalence rate for all methods decreased, by sixteen per cent from 2009 to 2016/17. Although the use of condoms decreased from nine per cent to seven per cent (2009–2016/17), and the use of oral pills decreased from 5% to only 2% during this period. The proportion of married women who used sterilization for family planning which declined from 10% to 7% in 2004 and reverted to 10% in 2009 has decreased to 2%. Among the reasons for the discontinuation of all methods were; wanting to become pregnant (27.1%), became pregnant while using contraceptives (8.5%), and side effects/health concerns (14.6%). Total Fertility Rate has dropped from 2.5 in 2009 to 2.1 in 2016/17. Knowledge around contraceptive methods has increased for both women and men (96.4% and 95.7% from 94% and 93% respectively). The quality of care for family planning could be one of the reasons for the discontinuation of contraceptive methods.

98. With the legal age of marriage (18 years) now being enforced by the Supreme Court of Maldives, and as sexual relations outside of marriage is prohibited in Maldives, it is important to closely monitor the age of first birth among young women as a means of monitoring unregistered early marriages in the country.

99. As mentioned above, the MOE has rolled out age-appropriate SRH curriculum across the country, but with challenges. Further, despite the development of National Standards for Adolescent and Youth Friendly Health Services, and the piloting of these services in several parts of the country, the availability remains limited. MOH and partners are now considering how to strengthen provision of SRH & family planning information and services for adolescents and youth; and identifying how to better raise awareness among youth about adolescent friendly services.⁵⁰

100. In the Maldives, women tend to marry earlier than men. The median age at first marriage is 20.9 years among women and 20.47 years among men. Childbearing tends to start relatively late; the median age at first birth among women age 25–49 is 23.2 years. This means that half of women age 25–49 give birth for the first time before age 23.2 (MDHS 2016–17).

101. Permission for medical termination of pregnancy within 120 days of conception for pregnancies resulting from rape by someone marriage to whom is prohibited in

⁴⁸ UNFPA, prepared by Alice Levisay and Humaida Abdul Ghafoor, "Review of the Maldives National Reproductive Health Strategy (2014–2018)", 2018, page 7 and 8.

⁴⁹ Ministry of Health, "SDG Health Profile 2017", page 26.

⁵⁰ UNFPA, prepared by Alice Levisay and Humaida Abdul Ghafoor, "Review of the Maldives National Reproductive Health Strategy (2014–2018)", 2018, page 7 and 8.

Islamic Shari'ah and pregnancies resulting from rape of a child who is physically and mentally not fit to get pregnant and deliver were given by the 'Islamic Fiqh Academy' on 11th December 2013.⁵¹

102. Maldives has never seen a case of mother-to-child transmission of HIV, making Maldives eligible for WHO certification in having eliminated mother-to-child transmission of HIV.⁵² The overall prevalence rate of HIV remains very low. As of 2015, there were 23 local infected cases, 9 new infected cases, and 352 screened as positive for HIV.⁵³

103. Anecdotal evidence suggests that in the Maldives, female circumcision mainly falls in to the Type 4 category. This category includes all other (other than clitoridectomy, excision and infibulation) harmful procedures to the female genitalia for non-medical purposes, e.g. pricking, piercing, incising, scraping and cauterizing the genital area (WHO, 2018). 13% of women age 15–49 are circumcised in the Maldives. The prevalence of female circumcision increases steeply with age, from only 1% from women age 15–19 to 38% among women age 45–49. Female circumcision is performed almost exclusively in early childhood. Thus, 83% of circumcised women reported that they were circumcised when they were younger than age 5, with only 2% reporting an age at circumcision of age of 5 or older. Information on the circumcision status of women age 15–49 reflects the outcomes of circumcision practices over a nearly 50-year period before the survey. According to mothers' report the prevalence of circumcision among girls age 0–14 is only 1%. Overall, 77% of women age 15–49 have heard about female circumcision. The proportion of women who have heard of female circumcision increases with age from 60% of 15–19 to 90% of those age 45–49 (MDHS 2016–17).

Article 13

Equality in economic and social life, including access to credit and social security

104. On the CO in which the Committee invites the State party to develop positive measures to ensure that women equally benefit from all social schemes in place in the State party, and, in particular, increase the participation of women, including self-employed women, in the retirement pension scheme.

105. For the International Monetary Fund (IMF)'s Financial Access Survey data of the last three years, the Maldives Monetary Authority (MMA) has been tracking sex-disaggregated data on bank account owners, depositors, and persons receiving loans. For example, the number of deposit accounts held by men in 2017 was 227,870 (commercial banks), as compared to 141,664 deposit accounts held by women. In terms of number of borrowers (commercial banks), in 2017 44,499 recipients of loans were male, as compared to only 16,444 of female recipients.

106. These numbers are being tracked in part because the Government of Maldives has, under the Ministry of Economic Development, prioritised small and medium-sized enterprise (SME) development, and within this, the development and support to women and youth owned SMEs. To this end, the Ministry is currently implementing the following financial schemes to cater the financial constrain to develop SME's and cater to create employment opportunities: GETSET loan programme, SME fund loan scheme, Faseyha Madheeha (Islamic financing facility for business development), 1000 Photographers loan scheme, Business centre networks providing training

⁵¹ National Bureau of Statistics, "Asia and Pacific Population Conference Mid-Term Review Report (2013–2017): Maldives", 2018, page 43.

⁵² Ministry of Health, "SDG Health Profile", 2017, page 20.

⁵³ National Bureau of Statistics, "Maldives: Data updates on Sustainable Development Goals", 2018, page 24.

programs for nurturing and developments of businesses, Business Start-up training, Business Planning training was also conducted during this period.⁵⁴

107. Within the above, the Government has made explicit commitments to advancing both women and youth's economic empowerment. Under their internal monitoring framework, the Ministry of Economic Development has set a number of targets focused on increasing the number of women-owned SMEs, including the targeting of home-based workers; increased access for women across the country for trainings on business start-up. For example, a target of the Ministry is to see a 20% increase in number of women and youth-owned and engaged businesses. To date, the Ministry has supported 138 women owned MSME Registered businesses. The Ministry of Economic Development also targets a 15% increase in the number of women accessing loans. To date, 119 applications have been received and processed, representing 12 women (5 youth, 7 non-youth) and 74 youth. From this, 31% (5 female and 19 youth) of loan applications have been approved.⁵⁵

108. Latest figures show that 6.5% of men and 6.7% of women live below the national poverty line (US\$5.5), however when locale is factored in, 10.4% of the population in the Atolls are living below the poverty line, as compared to only 1.5% in the capital, Male'.⁵⁶ An even higher number are the proportion of the employed population over the age of 15 who are living under the international poverty line – 4.5% of men and 4.4% of women nation-wide.⁵⁷

109. The National Social Protection Agency (NSPA) oversees the implementation of the Law Number 2/2014 (Social Protection Act), adopted during this reporting period. The programmes under the Act include the Social Protection General Regulation (2016/R-22); Single Parent Allowance Regulation (2016/R-39); Foster Parent Allowance Regulation (2016/R-38); and Food Subsidy Regulation (2016/R-23).⁵⁸ NSPA also has an ongoing social cash transfer programs and assistance. The Single Parent Allowance is a conditional cash transfer program providing financial support to vulnerable single parents so as to improve children's lives and provide access to equal opportunities as other children in the society. The target of the program are single parent families and households living below the national poverty line, the vast majority of whom are women-headed households. An allowance of MVR 1,000 (approximately USD \$65) per child up to a maximum of MVR 3,000 (approximately USD \$195) per family is provided under this program. The Foster Parent Allowance was implemented to provide financial support to foster parents, to encourage taking care of children in a normal home environment rather than state care and also to support extended family that takes care of children without either parents. An allowance of MVR 1,000 (approximately USD \$65) per child under the care of foster parents and an additional allowance of MVR 500 (approximately USD \$33) for the legal guardian is provided under this program. The Food Subsidy program provides financial assistance for the vulnerable population for the purpose of acquiring staple food. The target of the program are the households who fall below the poverty line.⁵⁹

⁵⁴ National Bureau of Statistics, "Asia and Pacific Population Conference Mid-Term Review Report (2013–2017): Maldives", 2018, page 19.

⁵⁵ Ministry of Economic Development, "Design and Monitoring Framework".

⁵⁶ National Bureau of Statistics, "Maldives: Data updates on Sustainable Development Goals", 2018, page. 11.

⁵⁷ National Bureau of Statistics, "Maldives: Data updates on Sustainable Development Goals", 2018, page. 11.

⁵⁸ National Bureau of Statistics, Asia and Pacific Population Conference Mid-Term Review Report (2013–2017): Maldives 2018, page 14.

⁵⁹ National Bureau of Statistics, Asia and Pacific Population Conference Mid-Term Review Report (2013–2017): Maldives 2018, page 14.

110. In addition to the above, NSPA implements a medical welfare assistance program to protect the poor and vulnerable from catastrophic health care expenditure by providing financial assistance to seek medical treatment and care not covered under the national health insurance scheme. The services provided under this program include, assistance for travelling abroad for medical care, assistance in obtaining medical care to those who are suffering from long term chronic illnesses, assistance to obtain assistive devices and medical equipment not covered by the national health insurance scheme and provision of medicines and injections not available within the country.⁶⁰

111. Under the new Administration, NSPA has been merged with the Ministry of Gender, Family and Social Services. With the adoption of the new on-line Social Protection Info System, discussions are now underway to establish gender-based systematic analysis of how the above Social Protection programmes are being delivered. As of 2018, there are four Social Protection schemes under NSPA.

112. In terms of social services and protection for women living with disabilities, the 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”. Nonetheless, 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. 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 favour of persons with disabilities however, equally apply to and cover men, women and children. 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.⁶¹

113. The state Retirement Pension scheme is funded through contributions from employees and employers while in employment. Increased awareness among women many of whom are home based workers and/or operating in the informal sector – of the importance of ensuring their contribution to the Pension scheme. To date, of the total contributors to the State Pension Scheme, over 70% are men, and only approximately 30% are women.⁶²

Article 14 **Rural women**

114. On the Committee’s COs pertaining to rural women, namely to increase the authority, mandate and capacity of the Island Women’s Development Committees (WDCs) and provide them with adequate resources, including the reinstatement of allowances for their members, to enable them to become operational and effectively discharge their mandate in advising island councils on the integration of a gender perspective in all development plans and policies at the island level, and establish coordinating mechanisms between the Committees and the island councils, there has been little progress on this front. In 2010 Law Number 7/2010 (Decentralisation Act)

⁶⁰ National Bureau of Statistics, Asia and Pacific Population Conference Mid-Term Review Report (2013–2017): Maldives 2018, page 14 & 15.

⁶¹ Government of Maldives “Initial Report to the Committee for the Rights of Persons with Disabilities”, DRAFT, 2018, page 26–27.

⁶² National Bureau of Statistics, “Women in Maldives – 8th March”, 2018.

was passed which defined a three-tier elected local governance structure (City Councils, Atoll Councils and Island Councils which operate under the oversight of the Local Government Authority). In addition, as per the Decentralisation Act, WDCs are afforded legal status and are elected bodies. Section 35 (a) indicates that WDCs should be established in each island, to be operated under the Island Council. The elections of WDCs are mainly conducted by the councils themselves. WDCs are elected to execute the functions stated in Section 36 of the Act. It is important to note that the Government envisages a complete decentralised system within the Maldives, and in that regard, AGO is undertaking a review of the relevant legislation. Role and sustenance of WDCs will be looked into during the review. The current WDCs' activities are significantly and negatively impacted by the fact that the members are volunteers who often have full time jobs as well as unpaid care work responsibilities in the home; and the WDCs are not granted limited budget by the Island Councils. It is essential that the Island Councils take on their responsibilities under the GE Act and not see this as a responsibility of MOGFSS.

115. Recent consultations as part of the preparation of the 6th Periodic Report to the CEDAW consultations confirmed the findings of central authorities – the regulation, oversight and monitoring of all services – Health, Education, Social services, Police and Judiciary remain at the central government level in Maldives. Despite the improved infrastructure on the islands, the impact of local norms and traditions, embodied in the personal beliefs of the Island leaders (Council members, Magistrates, School Principals, Police) all hinder the advancement of the policies adopted within this reporting period. Further, women and men across the islands are increasingly aware of the concept of DV and gender equality, but at a very general level, with limited understanding of their rights within the new policies adopted in recent years. Women and men are well connected throughout the islands, with 96% of females and 78% of men having mobile phones (2014),⁶³ with connectivity and use of smart phones now very common regardless how remote the island. The Government will do more in the coming years to use mobile applications to not only raise awareness on these issues, but to understand the attitudes and practices pertaining to GE and DV on the islands (please see Article 6 for more details of challenges faced).

116. In tackling gender-based violence (GBV) in the islands, central government's monitoring and recent consultations highlight that while Magistrates and Police are aware of the DVPA, the Police are not seen as proactively implementing the Act, and the Magistrates while understanding physical abuse, do not always recognise psychological abuse in the absence of strong evidence.

117. Distribution of health workers per 1000 population 13.1 per 1000: in Male, 11.9 per 1000: in atolls 11.7 per 1000. Issue is more about harmonised training, equipment and resources.⁶⁴ However, consultations show there is strong regard for the Health Clinics in the islands, despite the limited resources (please See Article 12 above for more details). Distribution of health care resources for doctors is 26 per 10,000 population while for nurses it is 78 per 10,000 population.

118. Challenges for persons and children living with disabilities on the islands remains significant, although increasingly schools are adopting systems to allow for children living with mental and physical disabilities to come to school. Nonetheless, there are limited services, and limited understanding, of how persons living with disabilities have both challenges and opportunities which should be supported. Elderly women and men rely entirely on the support of families; however, they are

⁶³ National Bureau of Statistics, Maldives: Data updates on Sustainable Development Goals, 2018, page 36.

⁶⁴ National Bureau of Statistics, Maldives: Data updates on Sustainable Development Goals, 2018, page 26.

often neglected because of the work demands that all families face. With little additional support available on the islands, it is usually the Health personnel who make special efforts to visit the bed-ridden elderly as a means of supporting the families' care.

119. Concerning early marriage, please see Article 16 below.

120. On the COs regarding the assurance of rural women participation in decision-making processes affecting the management of natural resources at the community level, the National Disaster Management Centre has been supporting women to participate in the broader Community Emergency Responses Teams (CERT) established on the islands. To date, the rate of women's participation in the CERTs ranges from 21% of the team to 74%, depending on the islands. Further, of all the rural populations trained by the National Disaster Management Centre in the last four years, approximately 50% have been women. Additionally, with the support of the UN Country Team, the Government has been piloting initiatives with the MOGFSS and Island councils to ensure that disaster mitigation and disaster management strategies are put in place. Through these pilot programmes on selected islands, there have been attempts through the WDCs and broader Island Councils, to engage women in the development of the strategies. Initial assessments of the impact disasters have on women in these pilot islands, as well as the role women play in responding, have been carried out. In a number of island contexts, as fisheries are often the primary employment, men are away for long periods. When natural disasters strike, it is often the women, children and elderly who are responding. The pilot programme is now winding down and discussions are underway on how to replicate this nation-wide. However, lessons from the pilot project indicate that more work needs to be done towards raising awareness among women as to why their participation in the development of these strategies is essential.

121. On the COs regarding the need for long-term policies to increase rural women's access to income-generating opportunities, including through credit and loans, and to develop their entrepreneurial skills, especially in agriculture and in the fishing industry: As both economic empowerment and poverty reduction initiative for the Islands, the Ministry of Fisheries, Marine Resources and Agriculture has been successful in implementing the Fisheries and Agriculture Diversification Programme (FADiP) from 2009 to 2018. The Programme objective is to develop smallholder agriculture value chains and Maldives Fish processing value chains, using a market-driven commercialization and diversification strategy. FADiP had worked with 6 Agricultural and 2 Fisheries Cooperatives in the past of which some have become quite successful. These cooperatives are currently producing and marketing products ranging from fresh agricultural produce to packed taro chips and vacuum-packed fisheries products such as fish paste. Through FADiP, 48 loans have been given to people who are actively involved in fisheries and agricultural sector. And 62% of the total loans were given to woman population. In addition, 50% of the training participants in 'hydroponic and Compost Training' conducted by the project in 2016 were female participants.⁶⁵

122. The Mariculture Enterprise Development Project (MEDEP) is now being carried out, with the goal of expanding livelihood opportunities and reducing vulnerability through two major components: (i) Institutional Strengthening, and (ii) Mariculture Value Chain Development. MEDEP is currently helping islands communities especially women, to grow juvenile sea cucumber which will be later sold when they reach marketable size. Under MEDEP a special effort was made to encourage women's participation in mariculture activity. The project is expected to directly

⁶⁵ National Bureau of Statistics, Asia and Pacific Population Conference Mid-Term Review Report (2013–2017): Maldives 2018, page 16.

benefit approximately 3000 households or 18000 people through the direct and indirect employment created in the mariculture and its associated value chains. According to the project design a minimum of 30 % of the individual loans should be given to women, and to date 57% of the loans granted have gone to women. The project is now exploring the possibility of encouraging the sub-project to open up opportunities for women at the hatchery.⁶⁶

Article 15 **Equality before the law**

123. As a 2014 Baseline Study of the Justice Sector finds, there are a series of challenges which must be addressed. Currently, there is not a harmonised system of recording data across the Justice sector. However, the Courts do publish data on their case management periodically. The National Bureau of Statistics is working with the AGO to standardised the collection of data within the sector.⁶⁷

124. Of greater concern is limited public confidence in the transparency and independence of the Judiciary, due to the lengthy periods for cases to be processed, and a perception of limited fairness. As of 2014, there is consensus amongst the state actors/stakeholders that much needs to be done to instil public confidence in the judicial process, to the effect that justice is served independently and impartially. To that end, an extensive reform is required in terms of infrastructural, law reform, training and capacity building within the judiciary. Such training shall specifically focus on sensitisation to rights, gender disparity issues and international norms.⁶⁸ The Government is committed to reform the Justice System and the instil greater regard for human rights, with strong and clear commitments to this end within the “One Hundred Day Pledge” as well as the long term reform plan of the Government.

125. On the Committee’s CO to expedite the adoption of the bills pending before the parliament aimed at strengthening the State party’s administration of justice, in particular the bills on legal aid, evidence, witness protection, juvenile justice, and the judicature, remove evidentiary requirements that discriminate against women and ensure the equal consideration and weight of the women’s testimonies as witnesses.

126. Law Number 12/2016 (Criminal Procedure Act), includes stringent procedures in making applications for court orders, codifies police powers for search and seizure, provides specific timeframes for investigation and prosecution, and introduces concepts such as of plea deal and discovery process. It also encompasses procedures for habeas corpus applications and procedures that guarantee speedier trials.⁶⁹ The Act further comprises of the inviolable rights of accused and sets forth special procedures for juveniles and other vulnerable groups within the criminal justice system.

127. With a view to speeding up the appeals process, in June 2017, an Amendment was made to the Judicature Act, which among other measures, establishes two branches of the High Court of Maldives one in the northern region and the other in the southern region of the country to allow for greater efficiencies. However, implementation of these new structural arrangements was found to be challenging and the Government’s judicial reform plan includes making significant changes to the

⁶⁶ National Bureau of Statistics, Asia and Pacific Population Conference Mid-Term Review Report (2013–2017): Maldives 2018, page 16 and 17.

⁶⁷ Office of the Attorney General and UNDP, “Legal Justice Baseline Study 2014”, page. 3.

⁶⁸ Office of the Attorney General and UNDP, “Legal Justice Baseline Study 2014”, page. 3.

⁶⁹ CEDAW/C/MDV/CO/4-5/Add.1, “Committee on the Elimination of Discrimination against Women – Concluding Observations on the combined fourth and fifth periodic reports of Maldives – Addendum. Information provided by Maldives on the follow up to the concluding observations of the Committee”, page 3, 20 October 2017.

structural arrangement of the Maldivian court system, to ensure efficient and speedy delivery of justice. Further, in 2015, the Supreme Court gave all Courts one hundred days to clear the case backlog, which was seen to have a significant impact on the court works. The Supreme Court continues to monitor the courts' performance in this regard, and sends out judicial delegations to the Islands to tackle significant backlogs. It is a requirement that any island with more than 500 people shall have a Magistrates court, but resources have not allowed for this to be rolled out in all 187 inhabited islands.

128. The drafting and adoption of the Penal Code and the Criminal Procedure Act, along with political upheavals at certain points in the reporting period, have resulted in further delay of seeing key draft Bills finalised and made into law. The Juvenile Justice Bill submitted to the Parliament on 5th March 2019, places a strong emphasis on diversion measures and to diminish the effects on juveniles entering the criminal justice system. As such the Juvenile Justice Bill provides for diversion mechanisms to be employed at every stage. It further introduces special officers within the Police and Prosecutor General's Office who will be attending to juvenile delinquents. The Child Rights Bill, which consolidates rights scattered across the current legislation, and which modernises these rights so as to align with international standards, was submitted to the Parliament for approval on 2nd July 2018. Passage of both these laws will ensure significant protection to juvenile delinquents and all children in general.

129. Article 42 of the Constitution entitles everyone a fair and public hearing within a reasonable time by an independent court or tribunal established by law in the determination of civil rights and obligations or any criminal charge. An Evidence Bill has been drafted and is in the pipeline to be submitted to the Parliament. The Evidence Bill will include provisions with respect to protection of witnesses and ensuring non-discrimination therein. The Evidence Bill has been much delayed due to the need to align the bill with Criminal Procedure Act and Penal Code but it remains as a priority of the Government. The passage of this bill will complete the reform process of criminal justice framework.

130. Under multi-stakeholder Steering Committee, the AGO has – with UNDP support – finalised a draft National Human Rights Action Plan (NHRAP). The NHRAP, which was drafted after extensive consultation with government and non-government actors, categorises activities against both international and national commitments and treaties, and helps to not only improve implementation of these international commitments, but also enhance the monitoring by the government of their status. Once the NHRAP has been review for one final time for its correlation with the Government's pledges and the subsequent activities, it will be launched and rolled out to all stakeholders.

131. The AGO has recently completed drafting of the Legal Aid Bill, which also includes the establishment of Public Defender's Office. This Act too is being reviewed for its compliance with the Criminal Procedure Act, Penal Code and other governmental policies. Government hopes to table the Bill at the next session of Parliament. Establishing Public Defender's Office will ensure that legal aid services are given not just to serious criminal matters or perpetrators of such acts, but across a wide range of civil, criminal and family matters including victims.

132. Under the new Administration, The Government has also launched a full Legal Audit of all laws and regulations in the country from a human rights, international obligations of the state and constitutional compliance perspective, so as to identify any remaining gaps in the national legal and regulatory frameworks.

133. The PGO, AGO, FPA and MOGFSS have carried out considerable trainings of Magistrates, Judiciary, Court Officers and Police around the DVPA, the Sexual

Offenses Act, and the above Codes to ensure greater awareness and greater implementation.

134. On the Committee's CO stipulating "as a matter of urgency, decriminalize and abolish the imposition of flogging as a sentence for consensual sexual relations outside marriage, as recommended by the Committee in its previous concluding observations, as enshrined in Article 10 of the country's Constitution (2008), Islam is one of the bases of law in the Maldives. Sexual relations outside of marriage are prohibited and flogging as a punishment is in accordance with the Shari'ah".

135. The Government notes that Special Procedures Act on Sexual Abuse which states that no child under the age of 13 years can give consent, and that any child between the ages of 13–18 has an excusable defence to defer the sentence of flogging. Data on flogging is not disaggregated. 39 cases of (women and men) flogging is reported by the Department of Judicial Administration in 2017. However, since 15th November 2015, although lower courts have passed on the punishment of flogging for consumption of alcohol or illicit sexual intercourse, no floggings have been carried out in Maldives. Once a flogging punishment has been passed down by a lower court, it must be appealed up to the apex court (Supreme Court) and the verdict of the lower court must be upheld by the Supreme Court before the flogging punishment can be carried out.

136. In addition to the above, where the judiciary is responsible for imposing hadd punishments, the Government is committed to establish a judiciary that has public confidence and trust, with accountable judges adjudicating over cases in a manner that is fair and impartial.

Article 16

Equality in marriage and family life, including family law; prohibition of child marriage

137. Removal of reservations to Article 16 on Family: With regard to the continued reservations on Article 16 (1) and (2), the Government has made recent efforts to assess how Article 16 may contradict the country's Constitution. While the Constitution ensures the equality of men and women in all matters relating to marriage and family relations, it stipulates "without prejudice to the provisions of the Islamic Shari'ah, which govern all marital and family relations of the 100 percent Muslim population of the Maldives". Under a Cabinet paper prepared by the MOGFSS in 2015, the Government has laid out, for approval of the Parliament, the aspects of CEDAW Article 16 which are in conformity with the Constitution, specifically Article 16 (1) paragraphs (b), (e), (f), (g) and (h), and full removal of reservations against Article 16 (2) (Child Marriage and Unions). Following the assumption of office by the newly elected Government in November 2018, the proposal is being reviewed by the President's Office and pends submission to the Parliament for approval, in accordance with Article 93 (b) of the Constitution.⁷⁰

138. The process of negotiating the removal of Maldives' reservation to Article 16 of the CEDAW has been bolstered by a September 2016 decision of the Supreme Court, whereby they passed an Amendment to Section 85(b) of the Regulation on Family Matters. This Amendment requires the Family Court to seek a special permission from the Supreme Court of the Maldives for every marriage application from a person under the legal age of Marriage, following clearance of the case by MOGFSS.

⁷⁰ CEDAW/C/MDV/CO/4-5/Add.1, "Committee on the Elimination of Discrimination against Women – Concluding Observations on the combined fourth and fifth periodic reports of Maldives – Addendum. Information provided by Maldives on the follow up to the concluding observations of the Committee", page 2 and 3, 20 October 2017.

139. To support an enabling environment within the Cabinet and Courts, the MOGFSS – as part of its awareness raising on the new GE Act – has been training and facilitating discussions with government authorities on the requirements of the CEDAW, on the issues of non-discrimination, and on the compatibility of CEDAW principles and Islam, sharing best practices from other countries in this regard. The Government recognises that Parliament will be the final step, assessing the present socio-cultural and political setting in the Maldives and the interpretation of the Shari’ah on matters relating to Article 16 of the Convention impede efforts to address unequal gender relations in marriage.⁷¹

140. Article 34 of the 2008 Constitution provides for the right to marry and establish a family. The Government supports and respects choices made by Maldivians in defining their own families and provide substantial protection (such as the payment of alimony, strict procedural criteria for divorce proceedings etc.) to families, women and children in accordance with the above Articles.

141. Law Number 4/2000 (Family Act) codifies the family related Shari’ah provisions in effect in the Maldives. An amendment to the Family Law, ratified in 2016, now provides for the equal distribution of matrimonial property after divorce. However, practice is proving for this to be a challenge as the Law also requires the marriage to have a prenuptial agreement stipulating land and asset division; to date, while pre-nuptial agreements are becoming more common in the Maldives, they are still rarely established prior to marriage, and women in the islands continue to have limited awareness of their rights in marriage. Consultations for this Report reveal that the “pre-marriage’ counselling required for all couples by law. However, the concept is not well understood by the couples. At present, a more comprehensive package for delivering this session is being developed.

142. Between the ages of 18 and 19, 12% of women and 2% of men are married; between 20 and 24 ages, 59% of women and ¼ of men are married.⁷² According to the 2014 Census, only 0.65% of population aged 20–24 were married before the parties to marriage reached 18 years of age.⁷³

143. Marriage is defined as the voluntary union of a man and a woman. Article 34 of the Constitution of the Republic of Maldives states that every person of the marriageable age as determined by law has the right to marry and to establish a family as specified in law. It further states that the family being the natural and fundamental unit of society, the family is entitled to protection by the society and the state. Family Act of Maldives which was enacted in 2000, 8 years before the Constitution came into force, in its Section 8 (a) states that a Maldivian woman may not marry a non-Muslim man and where a Maldivian man wants to marry a non-Muslim woman, such a marriage will only be valid in the eyes of law where the woman is from a religion acceptable to marry as per the tenets of Islam. The Government is committed to, however, identifying the human rights breaches in laws enacted within the Maldives, and enter into a dialogue with relevant stakeholders on the necessary amendments. Where a Maldivian man wishes to contract marriage with a non-Muslim female, that marriage may only be solemnized if that non-Muslim female is permitted by Islamic Shari’ah to contract a marriage with a Muslim male.

⁷¹ DB/follow-up/Maldives – Rapporteur on follow-up, Ms. Hilary Gbedemah – Committee on the Elimination of Discrimination against Women, “Committee on the Elimination of Discrimination Against Women – Letter on Follow Up of Government of Maldives to the Committee’s Concluding Observations of the fourth and fifth periodic report”, 13 April 2018.

⁷² UNFPA Maldives, prepared by Andreas Denmke, “Thematic Analysis on Youth in Maldives Based on the 2014 Population and Housing Census”, 2017, page 4.

⁷³ National Bureau of Statistics, “Maldives: Data updates on Sustainable Development Goals”, 2018, page 35.

144. Divorce is legal; divorce rate in Maldives is among the highest in the world. Both spouses are allowed to remarry. Polygamy, up to four wives, is legal and is practiced to a limited extent. Under the last reporting period, the Government introduced new divorce regulations to control the high rates of divorce in the country. All persons divorcing their wives outside the court are fined with a monetary value not more than Rf 5,000 Maldivian (US\$450 approximately).

145. In this reporting period, there is clear evidence of the Magistrates Courts taking the issue of Child Allowance payments seriously, and a system has been established whereby any man owing child allowance must pay this off before being permitted to enter into another marriage contract. If the man moves to a different island to marry, the Magistrates Court of that island will contact authorities on his home island to see if there are any outstanding Child Allowance payments. Since January 2012, any person wishing to marry more than one person should earn at least Rf 15,000 (approximately USD \$975). These conditions have restricted the exercise of polygamy.

146. In 2016, the Supreme Court amended Section 85(b) of the Regulation on Family Matters. This Amendment requires the Family Court to seek a special permission from the Supreme Court of the Maldives for every marriage application from a minor. This submission to the Supreme Court from the Family Court for the special permission, must also be supported with an assessment of the application by the Ministry of Gender and Family. Since this regulation came into effect, the Ministry of Gender Family and Social Services has not given approval to any application for marriage, by anyone under 18 years of age and no cases have come before the Supreme Court. All marriages are registered and recorded in an official registry. Marriages ‘concluded’ outside of the Maldives courts, including those concluded abroad, will need to be registered in a Maldivian court, for it to be recognized as a legally valid marriage.⁷⁴ As the above section has captured however, while the Supreme Court’s decision is well understood and is being enforced by the Courts, all islands involved in consultations as part of the drafting of 6th Periodic Report to the CEDAW Committee have indicated that the overall age of marriage is decreasing as compared to ten years ago, and when young women and young men reach the legal age of 18, they are immediately marrying. Young women are marrying men their age, and this shift may well be due to increased freedom among co-educational facilities for friendships to emerge. The families on the islands encourage the marriages so as to uphold social conventions and the national law, which prohibits sex outside of marriage. Nonetheless, the same consultations showed a general belief that marriage under 18 years is permissible, if their girl’s physical development, and the families’ economic situations allow. However, Supreme Court’s ruling ensures that such beliefs are not translated into action. MOGFSS is now internally discussing how to strengthen the monitoring of unregistered marriages, as there is a risk that with the strict enforcement of the law in a context where conservative beliefs prevail, early marriage will continue undocumented, to the great risk of the girl-bride and children under that union. Unregistered marriages and their children are not eligible for the services provided, nor can the Courts easily apply rights in marriage in these instances.

147. On the Committee’s CO to ensure the Human Rights Commission of the Maldives (HRCM) is able to discharge, with full independence and without any reprisals, its broad human rights mandate as sanctioned by the Constitution, including its mandate to work on women’s rights, in accordance with the principles relating to

⁷⁴ CEDAW/C/MDV/CO/4-5/Add.1, “Committee on the Elimination of Discrimination against Women – Concluding Observations on the combined fourth and fifth periodic reports of Maldives – Addendum. Information provided by Maldives on the follow up to the concluding observations of the Committee”, 20 October 2017, page 3.

the status of national institutions for the promotion and protection of human rights (the Paris Principles), the Government of the Maldives highlights that a Human Rights Commission was first established pursuant to a Presidential Decree on December 10, 2003.

148. In 2006, Law Number 6/2006 (Human Rights Commission Act) was adopted, making the HRCM the first independent and autonomous statutory body in the Maldives responsible to oversee human rights breaches. The amendments brought to the Human Rights Commission Act in 2014 broadened the mandate and powers of HRCM, making it compliant with the Paris Principles.

149. With the ratification of the Constitution in August 2008, the HRCM was made an independent and autonomous constitutional body.⁷⁵ The HRCM was established to monitor the human rights situation, and to provide awareness among the public about their rights, and the remedies afforded to them. It does not, however, provide remedies or opinions publicly on human rights abuses. Human Rights Commission Act states that where a civil society organization or private party submits a complaint on a human rights breach, the commission has mandate and the responsibility to investigate the matter as well as take necessary steps to ensure compensation. HRCM, as per the Act has an investigatory function, an advisory function towards the organs of the state and it must proactively take measures to prevent human rights violations at all fronts and look into complaints of breach.

150. In this reporting period, the Government is aware of the HRCM having conducted a broad range of trainings of students, parents, government institutions, and NGOs about human rights, international conventions including the CEDAW, individual rights under the national legal frameworks, the services available to persons who have suffered human rights abuses. The HRCM recently held a Youth Human Rights Defenders Camp in order to ensure that young people across the nation are ready to champion for the realisation of Human Rights.

Data collection and analysis

151. As part of the broader monitoring of SDGs, the Government is now investing in enhanced integration of data systems and more regular data collection and analysis, as well as strengthening and harmonising the collection of administrative data. This nation-wide process is challenged by the geographic dispersion of the islands and subsequent high transaction costs in institutionalising data systems.⁷⁶ In the area of administrative data related to gender equality, the 2014 Census, the Household Income and Poverty Survey, and the DHS (2016/2017), all close key data gaps.

Dissemination

152. The COs from the fourth and fifth Periodic Report were translated and disseminated to all government departments, as well as being made available to civil society. The State Periodic Reports (in English) are available to the general public.

⁷⁵ Human Rights Commission of the Maldives, “Submission from Human Rights Commission of the Maldives on Issues of Concern for the combined fourth and fifth periodic report of the Republic of Maldives under the United Nations Convention on Elimination of All Forms of Discrimination against Women (CEDAW) Committee pre-sessional working group meeting”, page 2, June 2014.

⁷⁶ Ministry of Environment and Energy, Government of Maldives, “Voluntary National Review (VNR) for the High-Level Political Forum (HLPF) on Sustainable Development 2017 Republic of Maldives”, page 3, 2017.

Ratification of other treaties

153. In recent years, the Government of Maldives has accepted the individual complaint procedures of the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights (Sept 2011) and the Optional Protocol to the Convention on the Rights of the Child (Feb 2012).

154. The Maldives submitted its combined fourth and fifth periodic report to the Committee on the Rights of the Child in 2013; its Initial State Report to the Committee Against Torture and other cruel, inhuman and/or degrading treatment in 2017, which considered the initial report at its 65th Session held in November 2018; and the Initial State Report to the Committee on the Rights of Persons with Disabilities in 2018.

155. During this reporting period, there was a mission to the Maldives by the Special Rapporteur on the independence of Judges and Lawyers (A/HRC/23/43/Add.3) in 2013. The report of the mission was published and Government of Maldives will be taking the recommendations of this report and recommendations made in other such reports in undertaking judicial reform.

156. The Government of the Maldives came before the Human Rights Council as part of the second cycle of the Universal Periodic Review (UPR) in 2015. The Government advised at that time that it has developed a strategy for implementing the 198 recommendations, a significant number of this relating to gender equality.⁷⁷ It was noted by the delegation that the Government rejected 49 recommendations as they were seen as contradicting the Islamic faith and the constitution, in matters of freedom of non-traditional forms of family and freedom of religion.⁷⁸

157. With UNDP's support, the Government will prepare for May 2020's third submission to the UPR, ensuring a participatory process which along with raising awareness, increased understanding and improved monitoring of human rights obligations as enshrined in the UN Conventions and existing national legal and regulatory frameworks.

⁷⁷ Please see – <https://www.ohchr.org/EN/HRBodies/UPR/Pages/MVindex.aspx>, prepared by the Human Rights Council under its 30th Session in 2015 – Matrix of Thematic Lists of Recommendations to the Government of Maldives by the Human Rights Council.

⁷⁸ A/HRC/30, Human Rights Council, “Report of the Human Rights Council on its 30th Session”, 2015, paras 534 and 535.