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HRCM’s comments to draft Report of the Counter-Terrorism Committee on its focused visit to the Republic of Maldives (6-8 October 2019) shared by National Counter Terrorism Centre

Specific Comments

II. Security situation and emerging threats

- Point 5: To include source of information while presenting data relevant to local context.
- Point 11: Based on information collected from some cases lodged at Commission, it has been identified that Maldivians who are vulnerable to radicalization have past criminal records including being part of gang violence and other crimes. Thus it is proposed to include a recommendation to conduct a research to see the relationship between unemployment and radicalization in Maldives.

III. Counter-terrorism legislation and judicial issues

- Point 19: To include a recommendation to review the Act number 15/2019 (second amendment to 32/2015 (Anti-Terrorism Act)) and shorten the duration given to conduct risk assessment and final decision as well as including procedures to be followed if a returnee exercises right to remain silent during risk assessment process that will make the procedure more effective.
- Point 19: To include a recommendation to ensure a standard operating procedure and necessary guidelines and regulations are in place at the National Reintegration Center as well as to ensure that the employees of the facility are familiar and aware of the standard operating procedure and necessary guidelines and regulations before the initiation of placing people under state care at the facility.
- Point 22: In addition to providing training on managing and preventing security threats that individual prosecutors face, it is proposed to add a recommendation specifying to endorse special SOPs within relevant organizations detailing procedures to undertake if an employee is threatened to prevent any harmful attacks to employees working in relevant organizations.
- Point 24: It is proposed to expand the capacity building trainings to staff of other relevant organizations to equip with necessary skills and training in this domain.

VII. Security Council resolution 1624 (2005) and the provisions of resolution 2178 (2014) relevant to countering violent extremism (CVE)

- Point 92: To include a recommendation for Ministry of Home Affairs and state institutions to implement recommendations during the given timeframe provided by Human Rights Commission of the Maldives after the inspection visits. (NPM)

In February 2020, National Preventive Mechanism (NPM) of the Commission conducted an inspection trip to the newly established National Reintegration Center upon the request of





Maldives Police Service. At the time of the visit, no detainees were kept and only the material condition of the Center was monitored as the place was unfurnished and not in use. Total of 4 recommendations were provided to the relevant state institutions to implement before initiating the services at the center, which include recommendations with regards to the material condition of the facility, recommendations regarding the Standard Operating Procedures, and recommendations for the programs that should be conducted in the facility.

- In October 2020, once the center was declared as a facility for detention under state care, NPM conducted a follow up visit in early November 2020 to monitor the implementations of the provided recommendations. It was noticed that none of the provided recommendations were implemented upon opening, therefore, a follow up meeting was held with the policy level personnel of Ministry of Home Affairs and Maldives Police Service.
- NPM will be conducting written follow-ups to monitor the status of recommendation implementations provided to Ministry of Home Affairs. (Parent Institution).
- Following are the Commission's recommendations:
 1. Ministry of Home Affairs and Maldives Police Service to ensure adequate ventilation in Block "D" and Block "E", effective from the date of sharing NPM's report, before the initiation of placing people under state care at the facility.
 2. Ministry of Home Affairs and Maldives Police Service to ensure that the CCTV Cameras installed within the facility do not invade the privacy of those entering and leaving the bathrooms installed in the facility, effective from the date of sharing NPM's report, before the initiation of placing people under state care at the facility.
 3. Ministry of Home Affairs and Maldives Police Service to ensure that the kitchen and the mess rooms of the facility have installed screens in the windows to avoid fruit flies and other insects of entering the mentioned premises, effective from the date of sharing NPM's report, before the initiation of placing people under state care at the facility.
 4. Ministry of Home Affairs and Maldives Police Service to ensure that the yards allocated for exercising and physical wellbeing usage, includes a shaded area, effective from the date of sharing NPM's report, before the initiation of placing people under state care at the facility.
 5. Ministry of Home Affairs and Maldives Police Service to ensure that the blocks allocated to isolate individuals kept at the facility, have doors installed within the bathrooms, to ensure their privacy, effective from the date of sharing NPM's report, before the initiation of placing people under state care at the facility.
 6. Ministry of Home Affairs and Maldives Police Service to ensure that the blocks allocated to isolate individuals kept at the facility, have a drinking water tap installed inside the block, effective from the date of sharing NPM's report, before the initiation of placing people under state care at the facility.
 7. Ministry of Home Affairs and Maldives Police Service to ensure that a panic button is installed inside the counseling room allocated for providing counseling and psychosocial services, effective from the date of sharing NPM's report, before the initiation of placing people under state care at the facility.
 8. Ministry of Home Affairs and Maldives Police Service to ensure that the room allocated to provide conjugal visits, are separated from the rest of the blocks of the facility, effective from the date of sharing NPM's report, before the initiation of placing people under state care at the facility.
 9. Ministry of Home Affairs and Maldives Police Service to remove the camera installed in the room allocated for security screening individuals before entering the premises of the facility, effective from the date of sharing NPM's report, before the initiation of placing people under state care at the facility.
 10. Ministry of Home Affairs and Maldives Police Service to ensure that the security systems are centralized and that only female security officers have the access to view the feed of female detainees and male security officers have the access to view the feed of male detainees, effective from the date of sharing NPM's report, before the initiation of placing people under state care at the facility.





- 11. Ministry of Home Affairs and Maldives Police Service to ensure that the entrance of the facility is disability friendly, effective from the date of sharing NPM’s report, before the initiation of placing people under state care at the facility.
- 12. Ministry of Home Affairs and Maldives Police Service to ensure that an emergency response plan is in place effective from the date of sharing NPM’s report, before the initiation of placing people under state care at the facility.
- 13. Ministry of Home Affairs and Maldives Police Service to ensure that a standard operating procedure and necessary guidelines and regulations are in place, effective from the date of sharing this report, before the initiation of placing people under state care at the facility.
- 14. Ministry of Home Affairs and Maldives Police Service to ensure that the employees of the facility are familiar and aware of the standard operating procedure and necessary guidelines and regulations mentioned in point 13, effective from the date of sharing this report, before the initiation of placing people under state care at the facility.

VIII. Human rights in the context of counter-terrorism

- Point 98: To include a recommendation on promoting human rights and increasing awareness among vulnerable communities in the islands against religious extremism, hate speech, gang violence and xenophobia.

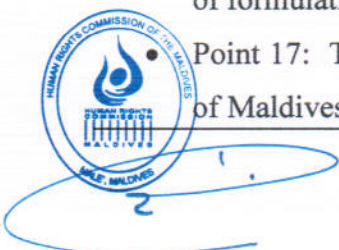
IX. Recommendations concerning steps that Maldives should take in order to fully implement the relevant Security Council resolutions

Counter-terrorism legislation and judicial issues

- Point 4: To include a specific point such as to get assistance from international agencies to build technical capacity of the officials that will benefit to make well-informed assessments and formulate effective rehabilitation programmes.
- Point 5: To specify on advocating and ensuring protection of human rights in the development of a whole-of-Government and whole-of-society approach to the rehabilitation and reintegration of returning foreign terrorist fighters (FTFs), paying particular attention to the special needs of returning women and children.
- Point 12: To include a point on conducting awareness raising sessions on international human rights obligations to judges and staff of other relevant organizations, along with capacity-building activities, with an emphasis on the prosecution and management of terrorism cases and trials.

Law enforcement

- Point 1: To include an action point to closely work with relevant stakeholders at all the stages of formulation of National Counter-Terrorism Strategy and Terrorism-Response Plan.
- Point 17: To add a point to ensures protection of human rights align with The Constitution of Maldives, relevant laws as well as in line with the international human rights instruments





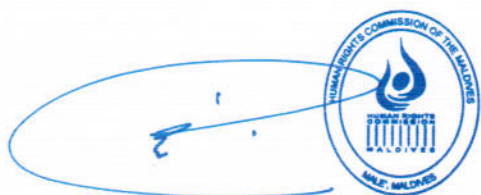
and its obligations while adopting measures to address gender and juveniles' perspectives in the prison setting.

Human rights in the context of counter-terrorism

- Point 2: To specify on including trainings on international counter-terrorism instruments and best practices along with the activities that conduct to increase the resources and strengthen the capacity of the Human Rights Commission and the civil society organizations.

X. Areas in which Maldives would benefit from receiving technical assistance

- To add staff of Human Rights Commission, other social workers and staff of relevant civil societies in provision of tailored capacity-building activities to enhance skills for investigating, prosecuting and adjudicating terrorism cases (in particular, those dealing with FTFs).



28th January 2021