

importance of depriving women of their rights simply for carnal and corporeal needs that can only be achieved through misinformation and leading the people astray. And in most cases the kind of reward they offer and the kind of fear they instill are incomparable to what an advocate for women's rights can ever hope to provide.

So how does one hope to challenge these inherently imbued ideals and opinions are so stringently important that any alternative viewpoints will be immediately refuted. The answer lies not in challenging their opinions but in finding a pervious strategy to which they too can relate. In the case of Maldives the idea of providing a religious basis to Human Rights and Women's Rights is one such idea. It validates these rights for those who stringently believe that depriving women of their basic rights is an act of piety and religious submission. But at the same time it is also about ensuring that the basic essence of the concept of Human Rights is not lost in the process of translation. And the key to this lies in clever and succinct awareness campaigns and educational programs. Programs that do not simply impart information but rather provide avenues to stimulate the thought process to grasp the idea of rights. Programs that insist upon the interactivity of the participants in formulating a line of thought as opposed to imposing a preset notion. Programs that make the participants feel more like stakeholders than simple bystanders admiring the supposedly unique but never attainable perfection of human rights. The awareness programs need to target the crux of the matter rather than being oblivious to the real problem. But then again this is easier said than done.

Awareness Programs and their Analysis: An HRCM Context

Awareness programs particular to the Human Rights Commission of Maldives aim to serve an important purpose stipulated in the Human Rights Commission Act. Drawing upon

Article 20 of the HRCM Act one cannot disregard the significance of awareness programs in carrying out the responsibilities mandated to the Commission. Article 20(e) provides the basis when it states that HRCM should foster a spirit that is complacent and respectful of Human Rights. Consecutively point (j) of the same Article makes the responsibility clearer by stating that HRCM should ensure the implementation of awareness programs for the people of Maldives and through this ensure that a spirit of respect towards Human Rights is fostered.

The Human Rights Commission of the Maldives has an Advocacy Department (previously called the Education and Media Department) that caters to the need of fostering a culture respectful towards Human Rights in Maldives. The purpose of the Advocacy Department is quite simply to advocate for human rights. But the work of the department spans from awareness and education to public relations and media liaising. From organizing community forums to disseminating vital human rights related information. From advocating rights to fostering respect for human rights. The work of the Advocacy Department also puts them at the forefront of understanding the public perceptions and the preconceived notions that people have about Human Rights. Particularly vital to this paper is the understanding garnered about the rights of women.

(To be Continued).....



Notions on Positive Discrimination in Maldives

The concept of women's rights is sometimes frowned upon by some as offering women special privileges that aren't afforded to men. That allowing women special concessions is in itself discriminatory and often leads to the belittling of men. Such notions are mostly derived from the lack of information or the inherent adamancy to refute the practical social, political, economic and cultural realities.

Positive discrimination or affirmative action is mandated to States Parties under the Convention on the Elimination of All forms of Discrimination against Women (CEDAW) and is considered an important process of achieving equal opportunities and ensuring equal rights for women. In Article 4 of the Convention it explicitly states that temporary special measures that aim to accelerate the de facto equality between men and women will not be considered discriminatory. However during many of the awareness programs organized by the Human Rights Commission of the Maldives (HRCM), the opinion usually swings to advocate for the overture that women's rights are overrated and that the plight of women, domestic violence, rape, sexual abuse, discrimination at work, sexual harassment, gender based violence etc are all by products of feminism and overtly female dominated ideals. The reality of what women go through and their status in the society are in most cases judged by men based on their own standing and opportunities.

The analogy of men already being ahead in the race and the women having an unfair start are ridiculed in some of these workshops. Alarmingly some participants are also of the view that beating women is also acceptable given the situation and circumstance. It is important to highlight at this point some of the commonly held views about women as gathered from these programs conducted by HRCM and then try and find a strategic direction in how to address them through awareness and education.

Women's Rights: Commonly held views in Maldives

The following views are not considered as what the majority of the Maldivians feel or think but rather are some of the opinions expressed during awareness programs carried out by HRCM. Owing to the multitude of such programs and the repetition of these opinions it is plausible to accept that in understanding the challenges facing the equal rights for women, these opinions too need to be analyzed. That in devising a strategic plan to counter such beliefs, it is imperative that such opinions be fully dissected to understand their socio-cultural context.

Some of them include:

- *Women have equal opportunities and no woman can claim otherwise.*
- *The fact that positive discrimination exists is itself discriminatory towards men.*
- *Women overplay the notion of vulnerability when in reality they con the people to acquire more rights than they should have.*
- *Women can be beaten if they do not listen.*
- *How can women be equal to men?*
- *Women are the source of all problems in the country.*
- *It is not women who are violated by men but the other way around.*
- *Women have all the rights they need; they are just incapable of fighting for them.*
- *Women need to be protected by men; they are too fragile to be given all the rights that men are entitled to.*
- *For a woman to be at home rather than at work should be considered a privilege for the woman.*
- *Working women ruin families.*

- *Keeping women at home to look after the children is not denying them their rights but rather offering them their rightful place.*
- *Gender based violence occurs to some extent because of women.*
- *If women behaved virtuously they will not get raped.*

These are just some of the opinions expressed during some of the awareness programs but the consistency of the views expressed and the vehemence with which these views are held brings to light the uphill battle needed to change the views of the people. While understanding the cultural and social implications and limitations one can work with in such a situation it is also important to draw our attention to Article 5 (a) of CEDAW which obliges States Parties to modify the social and cultural patterns of conduct of men and women, with a view to achieving the elimination of prejudices and customary and all other practices which are based on the idea of the inferiority or the superiority of either of the sexes or on stereotyped roles for men and women.

This particular point is worthy because it encompasses, in one sentence, the gargantuan task we have ahead of us. The whole issue of people misconceiving the notion of women's rights isn't an ad hoc idea expressed by a few. But rather is an end result of prejudices and customary views and social opinions that shape to belittle women. And often the work of changing the perception of even a few people whose understanding and conviction about the rights of women stem merely from a sense of hatred and angst towards women is easier said than done.

One reason can be the socio-religious elements of these opinions. The views they express have been embedded using a variety of social control methods with religious misconceptions and opinions taking the lead. These opinions are validated and legitimized using the religious perspective and oft some people reemphasize the



strategized to change these opinions. It also talks about some of the challenges faced in the endeavour to create equal opportunities for women and in advocating for women's rights.

Historical Context

Maldives as seen through the pages of its long history was never a nation that belittled their women. It was never a nation that downplayed the importance of women in its development. At least not in the past it was not. In fact historical records and ancient pre-Islamic artifacts bear witness to the highly matriarchal society that was Maldives and provide infallible evidence of practices and customs that had women working side by side, if not in the forefront with men. Legend tells of a Queen who rode on an elephant bestowing people with gifts and going door to door to see the affairs of the state and the condition of the people. It spoke of the main task of running the Kingdom or Queendom if you will, being taken over by the Queen and how harmonious the nation was. After all one must not forget that the Maldivian history is embossed with the rule of Rahun (Kings) and Ranin (Queens). History aside the cultural purview of Maldives extended to provide women with equal opportunities in all spheres of life. However certain cultural alterations and systemic infusion of dozens of foreign elements of change saw the metamorphosis of a once matriarchal society into one where the whole concept of women's rights and equal opportunities are now frowned upon. Slowly but surely tangible and intangible elements moved into limit and ultimately seal off equal opportunities for women starting from their homes and moving onto the affairs of the State. It was into such an environment that the Human Rights Commission of the Maldives was mandated to act. It was this mindset that had somehow taken a short duration to take hold of and this conviction of women being somehow inferior to men that the Commission was tasked to change. The work still continues, but it is high time one examines the successes and challenges and if need be whether new strategies are required for this mammoth task.

FORCING CHANGE: Altering the Attitudes Towards Women's Rights An Awareness Perspective of the Maldivian Context

By: Ahmed Tholal

Introduction

The protection and promotion of Human Rights entails a high level of respect and patience and an inherent eye for what is practical as opposed to what is supposedly fair and balanced. The concept of Human Rights cannot exist independent of human emotion and value and can only thrive and grow within the confines of human acceptance and justification. Universality is an accepted feature of human rights. But the real growth and prosper of human rights can only occur with acceptance. The values and inherent, interdependent, inalienable rights are constant no matter which culture one is from. But the real respect to these rights can only stem from the acceptance of these rights by the people. While the right to life is one of the fundamental elements of any human rights notion, it will remain an unattainable concept in a society that considers life to be of no importance. It will remain a moot point in a culture that advocates for justice to be met simply with an eye for an eye. No matter how much one group, organization or institution pushes for equal opportunities, rights and a life free from discrimination and prejudice, the ultimate success of such a push depends largely on convincing the people of its righteousness. That, and

a host of other reasons, is why awareness and education of human rights are so essential to foster a culture respectful of human dignity and protective of the inherent rights. But another essential question is how, either through conventional means of education or targeted awareness campaigns, does one ultimately alter and change a view that is impeding on the proper promotion and protection of human rights? How does one strategize an overhaul of a largely accepted and highly promoted view that is in direct conflict with the accepted norms of human rights? How does one move against the grain of belief and create an environment of respect and belief for the concepts of inherent rights for everyone? Let me then redirect this line of thought to encompass one such example where the conventional thought and inherent belief acts as a dubious hindrance to the work of promoting human rights in Maldives.

My focus is on the many attempts to promote and protect the rights of women. And on how the work of the Human Rights Commission to change the attitude of both men and women is shaping in the greater sphere of things in the country. This article examines the commonly held myths about women in Maldives, as gathered through the various awareness and training programs and how education and awareness is



REPRODUCTIVE AND SEXUAL HEALTH (RSH) AS A RIGHT

By: Jasmine Hussain

Why is RSH important?

RSH are often considered to be controversial and sensitive in many cultures. However, RSH is an important part of one's life and which affects one's biological, physical and psychological well-being. Having access to quality RSH could prevent many ill-health that occur around the globe. The significantly high number of death relating to pregnancy and child-birth and the increase number of unwanted pregnancies and abortions and the growing number of sexual violence is not something that should be slightly taken. Having accurate, realistic and age appropriate and culturally sensitive RSH information can enable individuals to make concrete decisions on their RSH, enhancing their quality of life.

What is the definition of RSH?

WHO defines:

Sexual Health

'A state of physical, mental and social well-being in relation to sexuality. It requires a positive and respectful approach to sexuality and sexual relationships, as well as the possibility of having pleasurable and safe sexual experiences, free of coercion, discrimination and violence.'

Reproductive Health

'A state of complete physical, mental and social well-being, and not merely the absence of disease or infirmity, reproductive health addresses the reproductive processes, functions and system at all stages of life. Reproductive health, therefore, implies that people are able to have a responsible, satisfying and safe sex life and that they have the capability to reproduce and the freedom to decide if, when and how often to do so. Implicit in this are the right of men and women to be informed of and to have access to safe, effective, affordable and acceptable methods of fertility regulation of their choice, and the right of access to appropriate health care services that will enable women to go safely through pregnancy and childbirth and provide couples with the best chance of having a healthy infant.'

What is the reality of young people's sexual and reproductive lives today?

Nearly 20 percent of global women's ill health is related to sexual and reproductive health while 14 per cent are for men. Likewise, around 529,000 women die from pregnancy related causes of which most were avoidable. Also, it is reported that more than 120 million couples do not use contraception despite their wish to avoid or space children and around 80 million women annually experience unwanted pregnancies and out of which some 45 million have abortions. Out of those who have abortions, 19 million have unsafe abortions, which results in 68,000 deaths (13% of all pregnancy related deaths). Six thousand young people aged 15-24 years are infected with HIV daily and 340 million cases of sexually transmitted bacterial infections occur annually. Six hundred thousands of HIV infections occur from mother-to-child (Hunt and De Mesquita, 2004).

How the international community and state are obliged to support the RSH of young people?

In 1994, The International Conference on Population Development (ICPD), held in Cairo declared that RSH is fundamental to individuals, couples, families and for the economical and social development of communities and nations. The Commission on Human Rights states that 'Sexual and reproductive health are integral elements of the right of everyone to the enjoyment of the highest attainable standard of physical and mental health. Various international human rights instruments address the right to health, including RSH. Among them are the International Covenant on Economic, Social and Cultural Rights (ICESCR), The Convention on the Rights of the Child (CRC), the Universal Declaration of Human Rights (UDHR) and the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW). In addition, The Millennium Development Goal refers to the importance and sensitivity of the RSH issues. Therefore, providing available, accessible and acceptable RSH services to one's citizen is obligated upon any nation who has embraced the named international conventions and national bodies. States have an obligation to provide RSH services and information which is accessible to all, including women and adolescent. States should also provide access to quality and affordable means of health care services such as to safe abortion, good family planning and issues related to Sexually Transmitted Diseases (STD). Likewise states are obligated to provide information and education relating to RSH which are age and culturally appropriate. In addition, states have obligations under international law to respect, protect and fulfill the right to health, including reproductive and sexual health. The obligation to respect requires states to respect individuals and families decision on the number and spacing of the children, states are also obliged to take measures to prevent violence and harmful practices such as rape and sexual molestation that could be harmful to one's sexual well-being.

NEWS :

Youth as Human Rights Defenders HRCM at 'The Youth Challenge 2011 - 2012 Exhibition'

Human Rights Commission of the Maldives took part in the 'Youth Challenge 2011 - 2012', a career and higher education guidance exhibition for youth held in Male' City from 17 - 20 August. HRCM is a Partner Institution for 'Youth Challenge 2011 - 2012' organized by the Ministry of Human Resources Youth & Sports and will be participating in similar exhibitions to be held as part of the program in the Islands of HDh Kulhudhufushi, L. Isdhoo and GnFuaumulah later this year and next year.

HRCM activities at all 'Youth Challenge' events will be focused on the theme 'Youth as Human Rights Defenders'. In this regard, HRCM will disseminate information and create awareness among participants through distribution of printed materials, discussions, presentation quiz and a forum theatre performance. Participants will also have the opportunity to list their names in the 'Human Rights Defenders Registry' which will be introduced tonight for the first time. These activities will cover Human Rights issues within the society and address specific areas like Rights of Children, Women and Persons with Disabilities, Right to Education and Rights of Migrant Workers.

The Youth Challenge event in Male' received a huge support while the HRCM stall at the event too received a very positive response from the participants. Within three hours more than a hundred visitors attended the HRCM stall to participate in different activities and to get information on human rights and the commission's work. More than 200 participants listed their names in the 'Human Rights Defenders Registry'. While this was happening at the stall, HRCM advocacy team with a few youth volunteers performed skits around the exhibition hall and on stages, attracting small crowds that participated in the forum theatre performances. This is a form of theater performance where, the audience can stop the performance and guide it.

Youth Challenge is a career guidance opportunity for local youth by contacting directly with institutions, universities and other private and state organizations. Youth Challenge has been a popular event amongst the youth since the first time it was held in 1999.



NEWS :

Stakeholders Discuss Formulation of Legislation on People Smuggling and Human Trafficking

Human Rights Commission of the Maldives has joined the efforts by stakeholder institutions to formulate a national legislation dealing with people smuggling and human trafficking. The discussions to this effect are being facilitated by two experts from the Australian Attorney General's Department namely, Senior Legal Advisor Ms. Bridi Rice and Legislative Drafter Ms. Allison Jones.

The facilitators from the Australian AG Department met with HRCM on 6 June at a bilateral meeting to discuss the legislation. In the meeting HRCM noted that a particular importance has to be attached to the protection of human trafficking victims, and that it should also include provisions for state support for the victims. The commission also proposed to criminalize and penalize human trafficking and people smuggling in this legislation.

HRCM also participated in another round table meeting held on 7 June with all the stakeholders to further discuss the issue.

The Commission has been following-up the emerging issue of human trafficking and had addressed the issue in its study titled 'Rapid Assessment of the Employment Situation in the Maldives, 2009'. It has made several recommendations to the concerned state parties and has been monitoring the implementation of these recommendations every year since. HRCM is currently engaged in conducting a fresh rapid assessment of human trafficking in Maldives, to be concluded this year.



NEWS :

A National Dialogue on Prevention of Torture

Human Rights Commission of the Maldives took part in a National Dialogue amongst the actors of the OPCAT (Optional Protocol to the Convention against Torture). The two day program held on 13 and 14 July was facilitated by APT (Association for the Prevention of Torture). APT is an international non-governmental organization working for the ratification and effective implementation of OPCAT around the world.

The main objective of this program was to bring together representatives of the three OPCAT actors in the Maldives: HRCM as the NPM (National Preventive Mechanism), the SPT (The Subcommittee on Prevention of Torture and other Cruel, Inhuman or Degrading Treatment or Punishment) and the relevant state authorities including those responsible for places of detention. While the first day of the Program was a closed meeting between just the three actors, other torture prevention actors including judges (of Supreme Court and Civil Court), media and members of the civil society took part in the program on its second day.

These discussions contributed to create an understanding and cooperation between OPCAT actors in the Maldives towards preventing torture and other ill-treatment. One of the key objectives of the dialogue is to take stock of the functioning of the OPCAT system in the Maldives. And through constructive dialogue, the actors highlighted achievements, challenges, and opportunities for improvement and how to bring about these improvements. Throughout the discussions, a special focus given to the recommendations highlighted in the SPT report published in 2009 following an in-country mission to the Maldives in December 2007.

Following a proposal by HRCM, the participants agreed to hold the National Dialogue between the NPM and State Stakeholders periodically. Through these dialogues NPM will monitor and review implementation of OPCAT in the Maldives. In addition to this, participants discussed and agreed to improve collaboration and communication amongst the actors.

The National Dialogue was a global first where OPCAT actors came together to facilitate dialogue and strengthen the functioning of the OPCAT system. The Maldives was the first state in Asia to ratify the OPCAT (in February 2006), and one of the first globally to designate an NPM and receive an SPT visit. HRCM was officially designated as NPM in December 2007.



NEWS :

HRCM Submits Document Highlighting Civil and Political Rights Issues in Maldives to the UN Human Rights Committee

Human Rights Commission of the Maldives has submitted a document highlighting important human rights issues relevant to International Covenant on Civil and Political Rights (ICCPR) to the UN Human Rights Committee (a committee of 18 experts overseeing government compliance with the covenant). The Committee will consider HRCM's document along with documents from other organizations and the report submitted by the State in preparing the 'List of Issues' in the form of questions for the state, which will be adopted on Friday 29 July during the 102nd session of the Committee and sent to the State.

The State was given the opportunity to clarify issues in it during and after the adoption of the list. The list will address the most crucial matters regarding the enjoyment of Civil and Political rights in Maldives. HRCM will again submit a more detailed report in early 2012. This report will be considered when the state report is reviewed in the 105th

session of the Committee in July 2012. The committee will then publish the conclusions of this dialogue with the State in a set of 'Concluding Observations' consisting of positive factors, principal subjects of concern and recommendations. This document will include the date for the next submission of Maldives' next report, and the state has to continue submitting follow up information as required.

Maldives acceded to the ICCPR and its First Optional Protocol on 19 September 2006 with a reservation on Article 18 and it came into force on 19 December 2006. Although the initial state report was due within one year of the entry into force of the Covenant, Maldives submitted the very first and current report in February 2010.

NEWS :

HRCM, CICC Discuss International Criminal Court

Human Rights Commission of the Maldives (HRCM) held a meeting today with Coalition for the International Criminal Court (CICC)'s Coordinator for Asia-Pacific Ms. Evelyn Balaiz-Serrano to discuss issues relevant to the International Criminal Court (ICC) following the Maldives' decision to become a member state. The meeting was held a few days after the People's Majlis voted in favor of Maldives acceding to the founding treaty of ICC, the Rome Statute of the International Criminal Court, as was advised by HRCM. The Ministry of Foreign Affairs is currently preparing to deposit the instrument of accession to the treaty.

In today's meeting, CICC informed the Commission on the ICC and discussed the work that needs to be done with regard to the national legal framework following the accession to the treaty. In addition to this, Ms. Serrano discussed the potential role HRCM could play in this regard and in helping CICC secure the support of local NGOs. She also informed the commission on the functions and works of CICC and discussed the benefits of joining the ICC. Some of the benefits that were highlighted in the meeting were that Maldives can, as a member state, refer situations and cases to the Court, can nominate judges, prosecutors and staff for the ICC and benefit from the experiences of ICC through prospective internships, and the fact that it is an opportunity to strengthen the Judiciary of Maldives.

The International Criminal Court (ICC) is an independent and permanent international court established with the objective of investigating the most serious crimes of international concern, namely genocide, crimes against humanity, war crimes and (in future) the crime of aggression and to try and bring to justice the persons accused of such crimes. It was established in 2002 under the treaty 'Rome Statute of the International Criminal Court'. There are currently 114 member states with only Afghanistan and Bangladesh representing the SAARC countries. There are 6 ongoing investigations while the court is reportedly examining a number of situations around the world. Among these are situations in Afghanistan, Palestine, Georgia and Iraq.

The Coalition for the International Criminal Court (CICC) includes 2,500 civil society organizations in 150 different countries working in partnership to strengthen international cooperation with the ICC and to ensure that the Court is fair, effective and independent; and advance stronger national laws that deliver justice to victims of war crimes, crimes against humanity and genocide.



NEWS :

HRCM Participate in a Regional Consultation on Integrating Reproductive Rights in the Work of NHRIS

Human Right Commission of the Maldives (HRCM) participated in the 'UNFPA - APF Regional Consultation on Integrating Reproductive Rights in to the Work of NHRIs' held in Kuala Lumpur, Malaysia from 21 - 22 June. HRCM was represented at the consultation by Commission Member Sheikh Ahmed Abdul Kareem and Senior Advocacy Officer Mohamed Zaheen. The overall objective of this consultation was to bring together representatives from national human rights institutions (NHRIs) and UNFPA country offices in the Asia Pacific region to forge understanding and collaboration in addressing reproductive rights.

The main theme for the first day of consultation was 'Understanding and working with reproductive rights' and for the second day was 'Strategies for strengthening the capacities of NHRI to work with reproductive rights'.

The participants from HRCM found the consultation very informative and productive, and highlighted the need to further discuss the issue involved in reproductive rights locally and building the Commission's capacity in this regard.



NEWS :

HRCM Holds Meeting with IOM Delegation

Human Rights Commission of the Maldives held a meeting today with the visiting delegation of the International Organization for Migration (IOM). In this meeting IOM was represented by Ms. Rabab Fatima, Regional Representative of IOM for South Asia, and Mr. Federico Soda, Head of Labor and Human Development Division, Department of Migration Management.

The key areas of discussion were immigrants, especially illegal immigrants living in the country and how the issue of Human Trafficking is being addressed. In this regard, the ongoing HRCM research, 'Rapid Assessment of Human Trafficking in the Maldives' and protection of the rights of migrant workers were discussed.

IOM stated that the organization will provide assistance to the Maldives in countering human trafficking, with management, policies and strategies relevant to migration and in strengthening the legal frame work pertaining to it. The role of HRCM in this process and in the protection of the rights of migrants was also discussed. IOM expressed its contentment regarding the Maldives' decision to ratify the 'International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families', and inquired about the progress of the work towards ratification and implementation of it.

IOM is an international organization in the field of migration and works closely with governments by providing support and assistance. The organization now has 132 member states, 17 states holding observer status and offices in over 100 countries. Maldives is now in the process of becoming a member of this organization.



COVER PAGE NEWS (Cont)

Eku Eky' - An Awareness Event

Forms of harm and abuses. Representing civil society, speakers from Care Society and Maldivian Democracy Network (MDN) also gave relevant information during the night.

In addition to speeches and video reports on different relevant topics aired at the event, video stories prepared on actual incidents, which highlighted human rights abuses and abuse of children's rights were also screened. A special song dedicated to the cause of the event was launched, together with viewing of other thematic awareness video songs. To highlight the national effort which needs to go into building a safe protective society, live national songs were performed by some local artists at the event. And to dramatize issues, a special theatrical drama was performed by the Maldives National Defense Force.





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Ekū Eky' - An Awareness Event on Human Rights Abuses Against Vulnerable Groups

Human Rights Commission of the Maldives (HRCM) held an awareness raising event 'Ekū Eky', meaning "Together", on 2nd June from evening 8.00 to 12.00 near the Tsunami Monument at Raalhugandu area.

The main objective of the event was to create awareness regarding the human rights abuses against vulnerable groups including women, children and older people due to the rising crime rates in the country. The event organized with the contributions from relevant NGOs and state institutions, stressed the importance of a society working together to foster and build a safe environment for everyone.

The public awareness event had many elements and activities during the four hour period, ranging from public speakers, video reports, live music, video spots and songs of relevant themes and a theatrical drama performance. Among speakers were some members of HRCM including President of HRCM, who highlighted the importance of protecting children from all

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