

**HRCM Submission to the Universal Periodic Review
of the Maldives, Nov 2025 (50th session)**

April 2025



Human Rights Commission of the Maldives (HRCM)

ATA	Anti-Torture Act
CCTV	Closed-circuit television.
CRPA	The Child Rights Protection Act
CTA	Counter Terrorism Act
DJJ	Department of Juvenile Justice
DV	Domestic Violence
DVPA	The Domestic Violence Prevention Act
GCM	Global Compact for Migration
HRCM	The Human Rights Commission of the Maldives
JJA	Juvenile Justice Act
LCE	Local Council Election
LFPR	Labor Force Participation rate
MCS	Maldives Correctional Services
MW	Migrant Workers
MPS	Maldives Police Service
NCTC	National Counter Terrorism Centre
NHRI	National Human Rights Institutions
NICU	Neonatal intensive care unit
NRC	National Reintegration Centre
PGO	The Prosecutor General's Office
PPA	Prison and Parole Act
PSS	Psychosocial Support Service
RTL	Raajje Transport Link
SOE	State-Owned Enterprise
TSM	Temporary Special measures

Introduction

The Human Rights Commission of the Maldives (HRCM) was first established under Presidential Decree on December 10, 2003. On August 18, 2005, the Human Rights Commission Act (6/2006) (hereinafter referred to as the Human Rights Commission Act) was ratified, thereby making HRCM the first independent and autonomous statutory body in the Maldives. The amendments brought to the Human Rights Commission Act in August 2006 broadened the mandate and powers of the HRCM, making it compliant with the Paris Principles. With the ratification of the Constitution of the Republic of the Maldives (hereinafter referred to as Constitution) in August 2008, the HRCM was made an independent and autonomous constitutional body.

The HRCM currently holds 'B' status with the Global Alliance of National Human Rights Institutions (GANHRI) and is an Associate Member of the Asia-Pacific Forum of National Human Rights Institutions (APF).

In December 2007, the HRCM was designated by a Presidential Decree as the National Preventive Mechanism (NPM) under the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment and Punishment (OPCAT). As prescribed under the OPCAT, the HRCM was designated as the NPM in legislation with the ratification of the Anti-Torture Act (law number 13/2013) in December 2013.

This report focusses on 15 thematic areas that were prioritised using a top-down approach, where the recommendations of the UPR and concluding observations issued by UN human rights treaty bodies were analysed according to the significance of the issues emphasised. Report was compiled based on information received from the relevant stakeholders including government authorities, institutions, civil society in addition to existing in-house monitoring data.

The report focuses on child abuse and exploitation, juvenile justice, eliminating all forms of discrimination against women and gender equality, persons with disabilities, the right to health, the right to housing, anti-human trafficking and migrant workers, the right to participate in public affairs, access to justice and independence of the judiciary, freedom of speech, freedom of assembly, persons deprived of liberty and under state care, anti-torture, and prevention and countering of violent extremism. The recommendations are provided at the end of each thematic area.

The work done to monitor the implementation of the recommendations on an annual basis is attached in Annex 1 and the process undertaken to compile the report is attached in Annex 2.

Acronyms list

ATA	Anti-Torture Act
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Eliminating all forms of discrimination against women and gender equality

1. 8th Amendment to the Decentralization Act introduced a 33% quota and the 2020 LCE saw 39.5% of women elected, indicating the need for further advancement in representation of women. Lack of awareness about the necessity and purpose of this quota led to the misconception that reserved seats were the only for women and that the remaining 67% should be available for men.¹
2. Women are significantly underrepresented in policy and decision-making positions holding only 3.2% of parliamentary seats, 9% in the cabinet and 19.4% in the Judiciary.
3. While female judges' representation has increased from 3.8% in 2017 to 16.3% in 2024, gender-equal representation remains lacking in both lower and superior courts.²
4. DV victims are sometimes housed with children under State care.³
5. While the current DVPA does not classify DV as a separate criminal offense, the draft legislation under review includes provisions to address this, along with several other amendments. Presently, actions constituting DV are addressed through provisions in the Penal Code and other laws under criminal justice system.

Recommendations

- **Amend Political Party Act (4/2013) to incorporate TSM to ensure that parties provide equal opportunities for women and men in determining candidates for any constitutional election and representatives in senior decision-making positions of parties.**
- **Establish legislative measures to increase the percentage of women participating in elections and in leadership of political parties by earmarking funds for political parties.**

Child Abuse and Exploitation

6. While the CRPA mandates long-term intervention plans to support child abuse victims by the State, the lack of access to mental health professionals, especially in outer islands, undermines the realization of adequate care and rehabilitation.⁴
7. While Clemency Act exempts child sexual offence from clemency, it grants the President the power to remit remaining sentence period for all crimes and consequently this allows child sexual offenders to be released early.

Recommendations

- **Increase access to mental health professionals especially in outer islands to ensure that child abuse victims receive timely PSS.**
- **Amend the Clemency Act to exclude child sexual offenders from remission of remaining sentence period.**

Juvenile Justice

8. CRPA and JJA raised the age of criminal responsibility to 15 years. Though JJA stipulates to establish a mechanism to prevent at-risk children from offending and provide them with necessary treatment and expedited rehabilitation, this mechanism is not established.⁵ Government's recent proposal to lower the age of criminal responsibility to 12 years is concerning and HRCM emphasises the need to establish mechanisms to rehabilitate at-risk youth alongside addressing the root causes of juvenile delinquency and penalizing the recruiters.⁶
9. Legal proceedings and investigations can be confusing for children due to complex language and concepts.⁷ This leads to children not being adequately informed about the consequences of the information being disclosed resulting in challenges in the admissibility of such information as evidence.⁸
10. Implementing reintegration programs remains challenging due to inadequate interagency coordination, a shortage of qualified personnel, budget constraints, and a lack of decentralized services.⁹ Further, delays in establishing juvenile residential and correctional facilities hinder rehabilitation and proper treatment of juvenile offenders.¹⁰ A Juvenile Halfway House was established in January 2025.

Recommendations

- **Review the decision to lower the age of criminal responsibility.**
- **Address the root causes that lead to juvenile delinquency and strengthen the mechanism in place to hold perpetrators who recruit juveniles culpable**
- **Address the challenges faced by DJJ to fully implement the JJA.**
- **Provide ongoing training for judicial officers, prosecutors, and defence lawyers and judges on trauma-informed approaches, child protection principles, and gender-based violence.**

Persons with disabilities

11. Early identification and diagnosis of children with disabilities were hindered by the absence of multidisciplinary therapeutic services in outer islands.¹¹
12. Persons with disabilities face significant barriers in accessing employment and income-generating opportunities, leading to a low LFPR and high unemployment rate.¹² A lack of accessible vocational training and skill development programs, coupled with the absence of concrete initiatives to support economic empowerment.¹³

Recommendations

- **Establish a mechanism in collaboration with island-based health facilities to ensure timely functional assessments and access to therapeutic services for children with disabilities.**

- **Adopt a national plan to ensure vocational training and introduce quotas as TSM to increase access to higher education for persons with disabilities.**

Right to Health

13. Hospitals in some outer islands face challenges related to insufficient staffing and resources, further compounded by budgetary and bureaucratic barriers in recruitment.¹⁴ Many health facilities operate in an inadequate infrastructure setting, and essential services such as NICU and physiotherapy are limited due to space constraints.¹⁵
14. A shortage of specialized doctors, long wait times at government hospitals, and high private healthcare costs, despite state insurance, restrict access to timely and affordable care.¹⁶
15. Air and sea ambulances and the RTL ferry system have to large extent contributed to expediting emergency care and access to healthcare services.¹⁷

Recommendations

- **Increase healthcare funding to improve the short-comings in outer island health facilities.**
- **Expand professional development medical trainings and scholarship opportunities for medical professionals.**

The Right to Housing

16. A severe housing crisis exists in the country, impacting all regions, but particularly the densely populated Greater Malé area, where the majority of residents live in rental properties.¹⁸
17. The issue of social housing in the Greater Malé area has been a long-standing challenge. While successive administrations have made efforts to review inconsistencies in past housing schemes, the absence of a consolidated, long-term national plan has led to fragmented efforts to address the unmet housing needs.
18. Land allocation and social housing policies vary across islands, with inconsistencies in criteria set by local councils, leading to disparities and undermining equitable access to housing.¹⁹
19. Concerns have been raised by recipients regarding the unfulfilled delivery of housing units and plots from previous social housing schemes, highlighting dissatisfaction with the authorities' prioritization of new projects without honouring prior commitments.²⁰
20. In some outer islands, no housing projects have been initiated for decades, and land allocated for housing remains unused due to a lack of financing options.²¹

Recommendation

- **Review the Land Law of Maldives (Law Number 1/2002) in a comprehensive way that specifies minimum standards in equitable land allocation and distribution, and ensure the housing rights of vulnerable groups.**

Anti-Human trafficking and Migrant workers

21. MW engaged in manual labour, faced inadequate social protection, and were subjected to exploitative practices such as fraudulent recruitment, passport confiscation, non-payment of wages, forced labor, and debt bondage.²² Employers frequently circumvent legal mechanisms to bypass quota restrictions to reduce costs.²³ Migrant workers often endure congested living conditions, particularly in the construction sector, where multiple workers share rooms and even beds.²⁴
22. Migrant health policies exclude undocumented, unregistered, and irregular workers from coverage.
23. The indefinite postponement of setting a minimum wage for MWs protections increases the risk of underpayment and workplace discrimination, especially in labour-intensive jobs where non-payment and delays in wage payments remain common.²⁵
24. The implementation of human trafficking victim identification guidelines remained nominal, primarily due to the absence of a standardized mechanism, inadequate resource allocation ²⁶ and the absence of an exclusive legal framework for remains as a contributing issue.²⁷
25. Deportation of some migrants is prolonged in stances where criminal charges were dropped and migrant worker is transferred to immigration administrative detention and the detainee is required to providing witness testimony in a court hearing.²⁸

Recommendations

- **Sign and ratify International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families.**
- **Ensure fair wages for migrant workers and they are covered by the minimum wage order set by the government.**
- **Review the victim identification procedure to identify victims and potential victims of human trafficking.**
- **Extend healthcare coverage to all migrant workers, including undocumented, unregistered, and irregular workers.**
- **Develop an action plan to implementing the GCM goals.**

Right to participate in public affairs

26. Concerns have been raised about the misuse of state resources, potentially giving incumbent administrations an unfair advantage and undermining electoral fairness and equality.²⁹
27. There are concerns regarding unequal access to state media for political parties and candidates, coupled with lack of transparency in financial support mechanisms, which may lead to media bias

and undermine the right to a fair and impartial electoral process.³⁰

28. While women actively participate in political processes, they remain underrepresented in leadership positions within political parties. Despite legal provisions for gender equality, women encounter obstacles in achieving parity with men due to societal attitudes and traditional roles.³¹
29. Vote-buying and influence has become common, with a significant portion of campaign funds directed towards offering financial incentives targeting vulnerable voters, raising concerns about the integrity of the electoral process.³²

Recommendations

- **Incorporate TSM into political party regulations to address obstacles faced by women, to guarantee equal participation of women and men in determining candidate(s) to represent the party in elections.**
- **Amend legislative framework to reduce misuse of power and state resources during election period.**
- **Ensure that programs broadcasted by the state media provide equal opportunities without any discrimination from the ruling party or other political parties**

Access to Justice and independence of judiciary

30. RSL survey indicates that 49.7% of respondents expressed dissatisfaction with the judicial system citing corruption and unjust decisions as the main causes of dissatisfaction.³³
31. The backlog of cases in courts stems from a combination of factors such as limited resources, administrative inefficiencies, shortage of courtrooms and failure of accused individuals and lawyers to attend hearings, especially in multi-defendant cases.³⁴
32. While efforts have been undertaken to address the backlog, further reform and improved resource allocation are necessary to reduce prolonged pretrial detention.
33. Legal aid services are specifically designated for victims seeking assistance under the DVPA. However, these services do not extend to cases outside the scope of the DVPA.³⁵

Recommendations

- **Allocate adequate financial and other resources to speed up court trials.**
- **Ensure equitable access to legal aid services for vulnerable groups.**

Freedom of Speech

34. The recently enacted Evidence Act (Act No. 11/2022) expands conditions for mandating journalists to disclose sources. HRCM raised concerns along with journalists and civil society over potential threats to press freedom.³⁶

35. The absence of clear guidelines on misinformation, disinformation, and hate speech, especially during elections, hinders efforts to prevent harmful content that undermines democracy. Journalists also face threats from anonymous accounts linked to officials and extremists, alongside digital attacks like hacking and phishing.³⁷
36. Media reliance on SOE funding limits independence, as fear of losing financial support deters unbiased reporting.³⁸

Recommendations

- **Amend the Evidence Act to introduce clear legal definitions and limitations on when journalists can be compelled to reveal their sources, aligning with international human rights standards.**

Freedom of Assembly

37. The right to assembly under Article 32 of the Constitution is limited by Article 24(g) of the Freedom of Peaceful Assembly Act (1/2013). The HRCM has called for amendments to align the Act with the Constitution and international human rights standards.

Recommendations

- **Amend Article 24(g) of the Freedom of Peaceful Assembly Act (1/2013) to ensure alignment with Article 32 of the Constitution and Article 16, in order to uphold international human rights standards and fully protect the right to peaceful assembly.**

Persons deprived of liberty and under State care

38. Delays in court trials lead to prolonged detentions in remand units, resulting in overcrowding in prisons and significant delays in transferring remand prisoners from police facilities, restricting their access to privileges outlined in the PPA.
39. Concerns were raised about female detainees avoiding specialized medical appointments to avoid invasive strip searches conducted in an undignified manner due to lack of non-invasive equipment.
40. Due to a shortage of forensic psychiatric professionals and the limited capacity of MCS officers to address mental health needs, inmates experiencing severe psychotic episodes and incoherent states frequently spend extended periods in isolation cells. Despite the efforts to establish a comprehensive forensic mental health mechanism to ensure humane treatment and adequate care, the issue continues to be of significant concern.

Recommendations

- **Intensify efforts to reduce prolonged pretrial detention by reviewing the procedural framework to develop alternatives to pretrial detention.**

- **Allocate adequate financial and human resources to meaningfully improve the conditions of places where people are deprived of their liberty to ensuring full compliance with the Nelson Mandela Rules.**
- **Establish a mechanism to ensure access to specialist healthcare services for all persons deprived of their liberty.**
- **Implement less invasive methods for body searches in prisons and custodial centers, such as utilizing electronic body scanners, to respect the dignity of individuals.**
- **Establish a holistic forensic mental health mechanism and expedite the inclusion of forensic mental health provisions within existing mental health frameworks.**

Anti-Torture

41. Challenges are faced in substantiation of torture cases due to lack of corroborating evidence beyond the victim's testimony, compounded by the absence of medico-legal evidence, the lack of witnesses, and reluctance from witnesses, victims and their attorneys to fully engage in the investigative process. The limited availability of CCTV footage and the absence of an independent forensic laboratory necessitates HRCM's reliance on the MPS for forensic expertise, which raises concerns about potential bias due to conflicts of interest. Despite meeting evidentiary requirements, the PGO conducted limited prosecutions, often citing insufficient evidence or the inability to prove intent.
42. The ATA's mandate for HRCM to conduct criminal investigations introduces a challenging dynamic, as this role diverges from its primary function as a monitoring body, as envisioned by the Paris Principles. Furthermore, HRCM faces significant constraints in financial, technical, and human resources, hindering its ability to effectively fulfil its criminal investigation mandate.

Recommendations

- **Establish an independent forensic institution to enhance the impartiality and reliability of forensic investigations.**
- **Amend the ATA to repeal the mandate of the HRCM to conduct criminal investigations of human rights violations, allowing HRCM to focus on its core functions and better align with the broader mandates of an NHRI.**

Prevention and Countering Violent Extremism

43. The CTA lacks a definition of extremism, leading to cases being determined based on the definition of extremism by the NCTC. The CTA permits detention based on intelligence reports, warrantless arrests, extended detention, and limited legal access,³⁹ undermining fair trial rights.⁴⁰
44. The CTA also fails to distinguish between terrorist groups and gangs⁴¹ and includes narrowly defined provisions on participation in terrorist-led wars.⁴²

45. HRCM has reviewed the CTA and its regulations on repatriation and reintegration, recommending procedural improvements, including alternatives to administrative detention for minors returning from conflict zones, clearer legal guidelines, and a more child-centric approach. Despite HRCM recommendations from HRCM to exempt minors under 15 from court appearances, children in this age group have been presented at court during initial hearing.⁴³ Additionally, CTA lacks clear specifications on which court should be consulted regarding the administrative detention of minors under 15 and currently hearings are carried out by criminal court as per the regulatory framework.⁴⁴
46. HRCM also emphasized the need for a multidisciplinary role in rehabilitation and called for a multisectoral mechanism to oversee post-reintegration monitoring.
47. The limited availability of resources, particularly in psychosocial support and religious counselling at NRC, coupled with the need for enhanced community desensitization during the reintegration process, presents challenges to effectively supporting the prevention and countering of violent extremism.⁴⁵

Recommendations

- **Review the definition of terrorism in CTA to align with international human rights standards and the definitions of terrorism-related offences to prevent infringement on fundamental freedoms.**
- **Ensure procedural fairness by mandating independent judicial review prior to implementation of administrative measures during the investigation of terrorism cases.**

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⁸ *ibid*

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Monitoring and Investigation findings

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