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включая право на развитие**

Посещение Мальдивских Островов

Доклад Независимого эксперта по вопросу о поощрении демократического и справедливого международного порядка Ливингстона Севаньяны*

Резюме

Независимый эксперт по вопросу о поощрении демократического и справедливого международного порядка Ливингстон Севаньяна посетил Мальдивские Острова в период с 12 по 21 марта 2024 года. В настоящем докладе Независимый эксперт оценивает положение в стране и ее усилия, передовую практику и достижения, а также некоторые необходимые улучшения и вызовы, которые предстоит преодолеть, в части поддержания мира и безопасности посредством регионального и международного сотрудничества, создание благоприятных условий для развития системы экономической и социальной защиты, усилия по обеспечению свободы ассоциации и собраний, положение трудящихся-мигрантов, тему участия общественности и благого управления, в частности в интересах женщин, молодежи и других традиционно маргинализированных групп, и, наконец, усилия страны по решению вопросов последствий изменения климата. Независимый эксперт формулирует рекомендации в отношении дальнейшего прогресса в обеспечении благого управления для инклюзивного развития и построения справедливого и демократического международного порядка.

* Резюме настоящего доклада распространяется на всех официальных языках. Сам доклад, содержащийся в приложении к резюме, распространяется только на том языке, на котором он был представлен.



Приложение

Доклад Независимого эксперта по вопросу о поощрении демократического и справедливого международного порядка Ливингстона Севаньяны о его посещении Мальдивских Островов

I. Introduction

A. Visit

1. The Independent Expert on the promotion of a democratic and equitable international order, Livingstone Sewanyana, visited Maldives from 12 to 21 March 2024, at the invitation of the Government of Maldives.
2. In accordance with the scope of the mandate as set out in Human Rights Council resolution 18/6, the objective of the visit was to gain a first-hand understanding of the country's efforts and progress in promoting a democratic and equitable international order. That was done through an analysis of the progress made by Maldives in enhancing international cooperation, maintaining peace and security, promoting good governance through the public participation of all groups, in particular women and young people, and achieving sustainable and inclusive development.
3. The Independent Expert met with government officials at the highest level, including the Minister of Foreign Affairs, the Minister of Economic Development and Trade, the Minister of Youth Empowerment, Information and Arts, Ministers of State at the Ministry of Social and Family Development, the Minister of Higher Education, Labour and Skills Development, one of the Ministers of State at the Ministry of Finance, one of the Deputy Ministers of Finance, the Minister of Cities, Local Government and Public Works, the Minister of Climate Change, Environment and Energy and the Attorney General. He also met with the Senior State Counsel at the Human Rights and International Affairs Division of the Office of the Attorney General, members of the parliamentary committees on human rights and gender and on foreign relations, and the president and other members of the Human Rights Commission of Maldives.
4. The Independent Expert expresses his gratitude to the government representatives with whom he met. He also expresses his thanks to the representatives of civil society organizations, with whom he engaged in an open discussion, for their valuable input on the situation in the country. He extends his sincere thanks to the representatives of academia, in particular the Islamic University of Maldives, who hosted him during the visit.
5. The Independent Expert thanks the United Nations country team and the Resident Coordinator for the assistance extended to him prior to, during and after the visit.

B. General context

6. Situated in the Indian Ocean, to the south-west of India and Sri Lanka, Maldives is an archipelago nation comprising 26 atolls, with a total area of approximately 298 km². As of 2023, Maldives is home to a diverse population of about 521,021,¹ with Male', the capital city, serving as its economic and administrative hub.
7. As a small island developing State nestled in the Indian Ocean, Maldives faces a plethora of challenges in its pursuit of sustainable development and integration into the global community. The country grapples with the omnipresent threat of climate change, manifested mainly in rising sea levels, as its economy is largely dependent on the ocean. In addition, its

¹ See <https://data.worldbank.org/indicator/SP.POP.TOTL?locations=MV>.

remote geographical location, limited land mass and small population exacerbate its vulnerability to external shocks, such as economic downturns and natural disasters.

8. Maldives leverages its affiliation with other small island developing States to forge strategic partnerships with international stakeholders, including multilateral organizations, donor agencies and civil society actors. Through these collaborations, the nation gains access to financial resources, technical expertise and best practices to bolster its development agenda and strengthen its position on the global stage. By embracing the principles of international cooperation and solidarity, Maldives demonstrates its commitment to collective action in pursuit of a more sustainable, inclusive and resilient future for its people and the wider community of small island developing States.

9. In recent years, Maldives has made strides in political stability and economic development. The country transitioned to a multiparty democracy in 2008, following decades of authoritarian rule.

10. Successive Governments have since implemented reforms aimed at strengthening democratic institutions, promoting human rights and enhancing good governance, resulting in the adoption of a constitution in 2008 and the holding of successive elections, most recently in September 2023.

11. Article 2 of the Constitution of Maldives provides that Maldives is a sovereign, independent and democratic republic based on the principles of Islam and is a unitary State.

12. Maldives has a good record of ratification of international human rights instruments, maintains good cooperation with United Nations human rights mechanisms and has affirmed its commitment to achieving the Sustainable Development Goals. Maldives has yet to ratify the International Convention on the Protection of the Rights of All Migrant Workers and Members of their Families. The Independent Expert also notes that, although Maldives has not ratified the Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty, it remains committed to compliance with article 6 (2) of the Covenant and to applying the moratorium on the death penalty.

13. During the meetings that the Independent Expert held with different stakeholders, he had the opportunity to discuss the efforts that Maldives had undertaken, at the regional and international levels, to promote a democratic and equitable international order in the areas of, inter alia, maintaining peace and security, economic and social measures for inclusive and sustainable development, ensuring the public participation of women, young people and other traditionally marginalized groups, guaranteeing decent and secure working conditions for migrant workers and addressing the challenges posed by climate change in the country.

14. Given the broad scope of the mandate, it was deemed necessary to focus during the visit on specific elements of good governance and inclusive development. The aim of the present report is to assess the progress made and to recommend further action to be taken in both of those areas.

II. Maintaining peace and security through international cooperation

15. In Maldives, the preservation of peace and security hinges significantly upon robust international cooperation. Maldives recognizes the importance of collaborating with regional and global partners to safeguard its territorial integrity, promote maritime security and counter transnational challenges, such as terrorism and extremism. Maldives, situated in a geopolitically significant location in the Indian Ocean, has been actively engaged in international cooperation to ensure peace and security both within its borders and in the broader region. This cooperation has been particularly evident in its relationships with neighbouring countries, notably China and India.

16. The Independent Expert notes the country's efforts to adopt a security policy aimed at peaceful coexistence with other countries in the region. Recognizing the importance of working with other States to combat security threats, Maldives actively engages in diplomatic efforts aimed at fostering mutual understanding, dialogue and conflict resolution among

neighbouring States. Through bilateral and multilateral forums, Maldives seeks to cultivate an environment conducive to peaceful relations, acknowledging that stability in the region is essential for its own security.

17. Central to the security architecture of Maldives is the enhancement of maritime security, given the country's strategic location in the Indian Ocean. The country recently introduced initiatives leveraging advanced technologies, such as drone surveillance, to bolster the capabilities of its coastguard in safeguarding its vast maritime domain. However, the challenges remain multifaceted, necessitating a comprehensive legal and policy framework, to complement the Maritime Zones Act, to effectively address issues ranging from maritime crime to territorial disputes. In addition, the coastguard of Maldives should be provided with adequate resources.

18. The significance of maritime security for Maldives extends beyond the realm of security to encompass the country's economic vitality. With the majority of its trade conducted by sea, Maldives relies heavily on secure maritime routes for its economic sustainability. Robust maritime security not only safeguards against threats such as piracy, but also facilitates uninterrupted trade flows, thereby underpinning the nation's economic resilience and development aspirations.

19. In pursuit of a cohesive maritime security strategy, Maldives should develop a comprehensive action plan to fortify its maritime domain against emerging threats.

20. Efforts to maintain peace and security through international cooperation also encompass efforts to address the complex challenge of foreign fighters. The Independent Expert notes that countering terrorism and extremism is an urgent issue and that no nation can confront these threats in isolation. Through concerted diplomatic and operational measures, the Independent Expert calls upon Maldives to repatriate and reintegrate foreign fighters and their families, underscoring the importance of international collaboration in combating transnational security risks.

21. While Maldives is susceptible to global security threats, including transnational crimes, piracy and maritime security challenges, its position on key maritime routes makes it even more vulnerable to illicit activities, such as trafficking in drugs and trafficking in persons.

III. Economy

22. Maldives has made significant strides in its economic development in recent years. With a focus on becoming an upper middle-income country,² Maldives has implemented various policies and initiatives to foster economic growth. However, it is imperative to examine these efforts through a human rights-based approach to ensure that economic progress is inclusive and equitable for all segments of society. The economic policies pursued by the Government have significant implications for human rights in Maldives. While economic growth has led to improvements in living standards for some groups, marginalized communities, including women, children and persons with disabilities, continue to face socioeconomic disparities and exclusion from the benefits of development, mainly in the remote atolls, as was reported to the Independent Expert during his visit.

23. Maldives has made commendable efforts to boost its economy, which is primarily driven by the tourism sector. The tourism industry has been a significant contributor to gross domestic product (GDP) growth,³ employment generation and foreign exchange earnings. The influx of tourists⁴ has led to the development of luxury resorts, infrastructure and

² See <https://www.worldbank.org/en/country/maldives/overview>.

³ According to the World Bank, tourism accounts for one quarter of the economy of Maldives. See <https://www.worldbank.org/en/country/maldives/overview>. See also <https://statisticsmaldives.gov.mv/nbs/wp-content/uploads/2022/10/Annual-GDP-production-2022.pdf>.

⁴ There were 604,004 tourist arrivals between January and March 2024, according to the tourism statistics bulletin for March 2024. See <https://www.tourism.gov.mv/en/statistics/publications>.

hospitality services, creating job opportunities and stimulating economic activity across the country.

24. The Government has invested in infrastructure development, including transportation, telecommunications and utilities, to support economic growth and improve connectivity within the archipelago. Investments in renewable energy projects, such as solar and wind power, have also contributed to the implementation of the Sustainable Development Goals and reduced reliance on imported fossil fuels.

25. However, despite these achievements, several challenges persist, threatening the sustainability of economic growth and exacerbating socioeconomic inequalities. One of the most pressing issues is the country's high level of indebtedness. Maldives faces a considerable debt burden, with public debt surpassing 115.9 per cent of GDP.⁵ This high level of indebtedness poses risks to the country's economic stability and limits the fiscal space for social spending and development initiatives.

26. The country's debt burden has been a persistent concern, affecting its ability to invest in critical sectors, such as health care, education and infrastructure. Despite the existence of commendable social and health services schemes, the debt burden in Maldives has strained public health-care systems, leading to inadequate infrastructure, shortages of essential medicines and limited access to quality health-care services, in particular in remote areas.

27. The debt burden has also hindered the country's ability to invest adequately in education, exacerbating poverty and inequalities across the country and resulting in insufficient resources for school infrastructure, teacher training and educational materials, mainly in the remote islands.

28. The Independent Expert also expressed some concern over the lack of transparency in fund management, which undermines public trust and hinders effective governance, as was reported during his visit. The Government's management of public funds, including loans and grants from international financial institutions and donor countries, is lacking adequate transparency and accountability mechanisms. This weakness in fund management not only undermines confidence in the Government's ability to manage resources effectively but also raises questions about the equitable distribution of benefits and the prioritization of public needs.

29. Among the concerns raised during the visit was the country's access to international financing. To improve its access, Maldives could implement several strategic economic policies and initiatives. Addressing this challenge requires the implementation of transparent fiscal policies, improved debt sustainability measures and the diversification of financing sources to reduce reliance on external borrowing.

30. Maldives could strengthen its economic governance framework by investing in more accountability and regulatory oversight mechanisms. Strengthening governance mechanisms and enhancing regulatory frameworks will not only instil investor confidence but also attract foreign investment and facilitate greater access to international financing.

31. Furthermore, the Independent Expert encourages Maldives to actively engage with international financial institutions, development banks and donor countries to gain access to concessional financing and technical assistance. Recent developments, such as the approval by the International Monetary Fund of an Extended Credit Facility arrangement for Maldives in 2023, reflect the country's commitment to reform and economic stabilization efforts. By leveraging international partnerships and cooperation, Maldives can mobilize resources, access expertise and unlock financing for key development projects and initiatives.

32. Maldives could promote policy coherence and coordination at the national and international levels to align economic policies with human rights principles and the Sustainable Development Goals. Recent initiatives, such as the National Human Rights Action Plan, underscore the Government's commitment to integrating human rights

⁵ According to the debt bulletin for the fourth quarter of 2023, issued by the Debt Management Department of the Ministry of Finance, available at <https://www.finance.gov.mv/public/attachments/HBljn7tfRuqkVIHsbWxfzCJO5rxp60MILGLk0KT.pdf>.

considerations into economic policymaking and planning processes. By adopting a holistic approach that prioritizes human rights, environmental sustainability and social inclusion, Maldives can contribute to an international economic order that promotes shared prosperity and upholds human rights standards.

33. The Independent Expert encourages the Government to further implement strategic economic policies and initiatives, engage with international partners, adopt a human rights-based approach to public expenditure decisions, enhance its access to international financing and contribute to a more inclusive and sustainable international economic order.

34. The reliance on a single sector, namely, tourism, exposes the economy to external shocks and vulnerabilities, exacerbating inequalities and jeopardizing the right to an adequate standard of living for all citizens. It is important to invest in agriculture in the islands, drawing lessons from the coronavirus disease (COVID-19) pandemic, which served as a stark reminder of the risks associated with overreliance on tourism, as travel restrictions and global economic downturns have had a severe impact on the industry, leading to job losses, income inequality and social unrest.

35. One approach involves leveraging the country's abundant marine resources for sustainable fisheries and aquaculture industries. Investing in modern fishing technologies, promoting seafood processing facilities and establishing market linkages can enhance the competitiveness of the sector while providing livelihood opportunities in remote areas and atolls. In addition, transitioning to renewable energy sources, such as solar, wind and ocean energy, could reduce reliance on costly imported fuels and create jobs in clean energy infrastructure development. Furthermore, promoting agricultural initiatives tailored to the unique environment of Maldives, such as hydroponics and organic farming, could boost food security and rural incomes. Lastly, investing in education and vocational training programmes tailored to emerging sectors such as information technology, health care and sustainable industries could equip Maldivians with the skills needed for diverse employment opportunities.

IV. Social protection and welfare, including poverty reduction

36. Maldives has demonstrated a commitment to social protection and poverty reduction through various initiatives, including the implementation of the comprehensive social protection schemes foreseen in various pieces of legislation. The most important is the Social Protection Act (No. 2/2014), which outlines the responsibilities of the National Social Protection Agency and the Income Support Allowance. The Income Support Allowance is aimed at providing financial assistance to vulnerable groups, such as low-income families, older persons and persons with disabilities.

37. Maldives is a leading country in the region in providing social protection to strengthen social safety nets, improve access to basic services, such as health care and education, and reduce poverty levels across the nation. By ensuring access to services to meet basic needs, social protection initiatives contribute directly to the achievement of several of the Sustainable Development Goals.⁶

38. The Independent Expert welcomes in particular the social benefits packages, including the disability allowance,⁷ which ranges from 3,000 rufiyaa (Rf) to Rf 6,000, the single parent allowance programme, which provides single parents of children under 18 years with a monthly allowance ranging from Rf 1,000 to Rf 10,000 per child, the Foster Parent Allowance Programme, which grants a monthly allowance of Rf 1,000 per foster child and Rf 500 per foster parent, and the Social Health Insurance Scheme (Aasandha), which is the

⁶ In particular, Sustainable Development Goals 1 (End poverty in all its forms everywhere), 2 (End hunger, achieve food security and improved nutrition and promote sustainable agriculture), 3 (Ensure healthy lives and promote well-being for all at all ages) and 4 (Ensure inclusive and equitable quality education and promote lifelong learning opportunities for all).

⁷ See <https://www.nspa.gov.mv/v2/index.php/disability/>.

national social health insurance scheme designed to provide free medical care to all Maldivian citizens.

39. However, despite these commendable efforts, significant concerns persist. The Income Support Allowance, while a step in the right direction, faces limitations in coverage. Many eligible individuals, in particular those residing in remote areas and atolls, encounter barriers in access to the allowance due to administrative complexities, lack of awareness and insufficient infrastructure. In addition, the amount received in benefits should reflect the cost of living, but, according to various studies,⁸ the amount paid out under these assistance programmes does not reflect the actual cost of living.

40. This lack of coverage not only perpetuates socioeconomic disparities but also hinders progress towards achieving Sustainable Development Goals 10 (Reduce inequality within and among countries) and 16 (Promote peaceful and inclusive societies for sustainable development, provide access to justice for all and build effective, accountable and inclusive institutions at all levels).

41. The heavy reliance of Maldives on tourism as the primary economic driver exacerbates socioeconomic inequalities, with benefits disproportionately concentrated in urban areas, leaving rural and marginalized communities underrepresented, creating the potential for perpetuating cycles of poverty and exclusion.

42. Inadequate resources, institutional capacity constraints and limited coordination among stakeholders have hindered the effective delivery of social protection services, undermining efforts to achieve Sustainable Development Goal targets related to social inclusion and poverty eradication.

43. The Independent Expert notes that there are inadequate disaggregated data from the atolls and remote communities to accurately assess the implementation of the social protection scheme. However, concerns over its accessibility to all groups remain persistent across the country.

V. Migrant workers

44. Maldives heavily relies on migrant workers to fuel its economic growth. Approximately one third of the population are migrants,⁹ primarily from neighbouring South Asian countries, such as Bangladesh, India and Nepal. Migrant workers in Maldives are predominantly employed in the construction and domestic work sectors, with a substantial portion engaged in the low-skilled and informal sector.

45. The regulatory framework governing migrant workers in Maldives is primarily guided by the Employment Act (No. 2/2008), which sets forth the rights and obligations of both employers and employees, including provisions related to wages, working conditions and dispute resolution mechanisms. In addition, the Immigration Act (No. 1/2007) regulates the entry, stay and departure of foreign nationals.

46. Despite the significant presence of migrant workers in Maldives, comprehensive data and statistics on their exact numbers and demographics remain scarce. The Independent Expert notes that this inadequacy of data poses challenges in accurately assessing the socioeconomic conditions and protection of the rights of migrant workers.

47. Maldives has taken admirable steps to integrate migrant workers into society through various policies and initiatives resulting from cooperation with intergovernmental organizations, such as the International Organization for Migration, as well as with the United Nations, through the United Nations Network on Migration in Maldives. Efforts include providing access to education and health-care services, promoting cultural exchange

⁸ See <https://www.unicef.org/maldives/media/3496/file/Maldives%20Social%20Sector%20Assessment.pdf>.

⁹ According to the information provided to the Independent Expert during the visit and the Maldives migration profile, available at <https://publications.iom.int/books/migration-maldives-country-profile-2018>.

programmes and facilitating opportunities for language and skills training for migrant workers. In addition, the Government has implemented measures to regularize the status of undocumented migrant workers, granting them legal recognition and protection under the law.

48. However, the Independent Expert is concerned about persistent challenges in ensuring the effective implementation of these integration efforts, in particular in addressing the underlying socioeconomic inequalities and discriminatory practices faced by migrant workers. Concerns over the commercialization of regularization certifications and allegations of abuse in the granting of migrant status have also been reported. Following the period of the COVID-19 vaccination campaign, when the number of undocumented migrants increased as a result of the cessation of the monitoring exercises carried out by governmental authorities, a large majority of migrant workers experience the challenge of being undocumented.

49. Consequently, migrant workers in Maldives face myriad challenges and risks that jeopardize their enjoyment of fundamental human rights. Foremost among these are the risks of smuggling and trafficking, despite the entry into force of the Prevention of Human Trafficking Act in 2013. Smuggling and trafficking often result from deceptive recruitment practices, exploitative working conditions and lack of legal protection.

50. Many migrant workers find themselves trapped in debt bondage, subjected to forced labour and deprived of their basic freedoms and dignity. Moreover, the gender dimension exacerbates vulnerabilities, with female migrant workers facing heightened risks of sexual exploitation and abuse.

51. The human rights of migrant workers are intrinsically linked with the principles of good governance and inclusive development. Upholding the rights and dignity of migrant workers requires robust legal frameworks, effective oversight mechanisms and proactive measures to combat trafficking and exploitation. Moreover, the socioeconomic empowerment and social integration of migrant workers must be prioritized as part of inclusive development strategies, recognizing their contributions to the economy and society.

VI. Public participation and good governance

52. Public participation is a cornerstone of good governance and democratic principles, essential for ensuring accountability, transparency and legitimacy in decision-making processes. In Maldives, which recently transitioned to democracy after decades of autocratic rule, efforts to foster public participation have led to both progress and challenges, which were reported to and observed by the Independent Expert during his visit. Following the democratic reforms initiated in 2008, Maldives witnessed improvements in opening up the political space, allowing for greater citizen engagement in governance processes. However, persistent issues, such as political polarization, institutional weaknesses and limitations on freedom of expression, continue to impede meaningful public participation.

53. The regulatory framework governing public participation in Maldives encompasses a range of laws, policies and institutional mechanisms aimed at facilitating citizen engagement in governance processes. The Constitution of Maldives, promulgated in 2008, guarantees fundamental rights (art. 16) and freedoms, including the right to participate in public affairs and the right to freedom of expression and association (art. 32). Articles 26, 27, 28 and 30 enshrine, respectively, the right to vote and run for public office, freedom of expression, freedom of the media and freedom to form political parties and associations and societies. In addition, the Constitution establishes key democratic institutions, such as the parliament, the judiciary and the Human Rights Commission of Maldives (art. 189), which are tasked with safeguarding democratic principles and protecting human rights.

54. In addition to constitutional provisions, several laws and regulations provide for specific mechanisms for public participation and citizen engagement. The Decentralization Act (No. 7/2010), for instance, devolves powers and responsibilities to local councils, empowering communities to participate in decision-making processes at the grass-roots level. Similarly, the Right to Information Act (No. 1/2014) guarantees access to government information, enabling citizens to hold authorities accountable and make informed decisions.

Moreover, the Political Parties Act (No. 4/2013) and the election laws¹⁰ regulate the conduct of political parties and elections, ensuring a level playing field for political competition and citizen representation.

55. Nevertheless, one of the primary challenges of public participation in Maldives is the erosion of democratic norms and institutions that has occurred. The recent political turmoil and frequent changes of government have led to a climate of uncertainty and distrust, undermining public confidence in the democratic process, as reported to the Independent Expert.

56. Restrictions on freedom of speech and assembly, coupled with arbitrary arrests and the intimidation of journalists and human rights activists, as reported to the Independent Expert, further restrain dissent and discourage civic engagement. The lack of an effective enabling environment for civil society organizations and independent media in practice hampers their ability to advocate for human rights and hold authorities accountable.

57. Socioeconomic disparities and marginalization exacerbate inequalities in access to decision-making processes, with marginalized groups, such as women, young people and persons with disabilities, often excluded from meaningful participation. Limited access to information and resources in remote atolls, coupled with cultural and social barriers, further hinder their ability to engage more effectively in public affairs.

A. Women's participation in public decision-making

58. Women's representation and participation in public decision-making are critical for promoting gender equality and ensuring good governance. In Maldives, while there have been some advancements, significant challenges persist, hindering women's full participation in political and governance processes.

59. The Independent Expert welcomes the adoption of the National Gender Equality Action Plan for 2022–2026, which sets out strategic goals for achieving gender equality, including in the context of public decision-making.

60. Despite constitutional provisions mandating gender quotas, women's representation in executive positions remains disproportionately low. Women hold only 4.6 per cent of seats in the People's Majlis, the parliament of Maldives, and only 3 of 22 ministers in the Government are women. For the forthcoming parliamentary elections, out of 368 candidates, only 42 are women.

61. This lack of representation undermines the principles of democratic governance and limits women's ability to influence legislative agendas and policies that affect their lives. The Independent Expert welcomes the efforts made by the Government of Maldives to promote women's participation in public service.

62. Within the parliament of Maldives, women face systemic barriers that hinder their effective participation. The Independent Expert heard that patriarchal norms, discriminatory practices and limited access to resources and support networks marginalize women parliamentarians, relegating their voices to the periphery of legislative debates. The delay in the enforcement of gender quotas exacerbates these challenges, perpetuating gender disparities and stifling progress towards gender equality in political representation.

63. In the judiciary, women continue to be underrepresented, in particular in higher judicial positions. Despite advancements in the legal profession, cultural and societal biases impede women's advancement to leadership roles within the judiciary. The lack of comprehensive strategies to address gender disparities and promote diversity further perpetuates inequalities in access to justice and undermines the legitimacy of judicial institutions.

64. At the local level, the Independent Expert is encouraged by the amendment of the Decentralization Act in 2019, introducing a quota of 33 per cent for the representation of

¹⁰ The General Elections Act (No. 11/2008), the Presidential Elections Act (No. 12/2008) and the Parliamentary Elections Act (No. 2/2009).

women in local councils. The establishment of women's development committees at the local level is a step in the right direction. These committees, which provide a vital platform for addressing the unique needs and challenges faced by women, fostering inclusivity and promoting their active participation in decision-making processes, are highly commended. However, for these committees to function effectively, adequate resources, both financial and logistical, are required.

65. Nevertheless, the Independent Expert is concerned that the persistence of patriarchal norms, cultural stereotypes and discriminatory laws and practices exacerbates gender inequalities and impedes women's participation in public decision-making. Socioeconomic disparities, limited access to education and resources and gender-based violence further marginalize women, hindering their ability to engage effectively in political and governance processes.

B. Youth participation

66. In 2023, people aged between 18 and 34 years represented 49.95 per cent¹¹ of the population of Maldives, which makes youth participation in decision-making processes pivotal for fostering inclusive governance and ensuring the representation of diverse perspectives in policy formulation and implementation.

67. Over the past few years, Maldives has initiated several programmes and policies to promote youth participation in decision-making. The National Youth Policy, launched in 2015, which aims to empower young people and provide opportunities for their engagement in civic and political processes, is welcomed by the Independent Expert. It includes strategies for enhancing youth involvement in community development, education, employment and leadership roles. In addition, youth councils and forums have been established at the local and national levels to facilitate dialogue and consultation between young people and government authorities. These platforms serve as avenues for young people to voice their concerns, propose solutions and contribute to policy development. However, the Independent Expert urges the Government to collect disaggregated data with regard to youth policies and their implementation across the country and show how young people from remote communities can also contribute effectively to those councils.

68. Legislative reforms have been enacted to lower the age of candidates in local council elections, allowing young people aged 18 and above to contest elected positions and contribute to local governance. This initiative is aimed at enhancing youth representation in decision-making bodies and promoting their active involvement in shaping local development agendas. Moreover, the Government has implemented capacity-building programmes and training workshops to equip young people with leadership skills, civic awareness and advocacy techniques, enabling them to participate effectively in governance processes.

69. The Independent Expert welcomes the presidential initiative on youth councils or advisers and encourages the further expansion of such initiatives for better implementation and monitoring across the country.

70. Nevertheless, several challenges remain in ensuring effective youth participation in decision-making in Maldives. Structural barriers, including limited access to education in the remote atolls and rural areas, limited economic opportunities and limited access to financial resources, hinder the meaningful engagement of young people in governance processes.

71. The education system faces challenges, such as inadequate infrastructure, limited vocational training opportunities and disparities in access between urban and rural areas. Economic opportunities for young people are also constrained by high unemployment rates,¹² in particular among women and those living on remote islands.

¹¹ According to the information provided by the Ministry of Youth Empowerment, Information and Arts to the Independent Expert during the visit.

¹² Youth unemployment stands at 7.3 per cent, according to the House Income and Expenditure Survey of Maldives, 2019.

72. Sociocultural norms and traditional hierarchies often marginalize youth voices, relegating young people to being passive recipients of policies rather than active agents of change.

73. Cultural attitudes that prioritize age and experience over youth perspectives perpetuate generational divides and inhibit intergenerational dialogue. In addition, the lack of inclusive mechanisms for youth representation and participation further exacerbates these challenges, undermining the legitimacy of governance institutions and eroding public trust in the democratic process.

74. It is imperative to assess the prevalent issue of substance use disorders among young people in Maldives. This not only undermines the physical and mental well-being of young citizens but also poses a significant barrier to their participation in societal development and inclusive decision-making processes.

75. Statistics indicate a disturbing trend in substance use disorders among Maldivian young people. According to recent data from the Ministry of Health, a large portion of people aged between 15 and 24 have experimented with illicit drugs, most commonly cannabis and heroin. Furthermore, the accessibility and affordability of these drugs exacerbate the problem, leading to a cycle of addiction and dependency.

76. The Independent Expert is concerned that the negative impact of substance use disorders extends far beyond individual health concerns. It directly hampers youth empowerment initiatives by impeding educational attainment, hindering employment prospects and eroding social cohesion. Moreover, substance use disorders perpetuate cycles of poverty and marginalization, disproportionately affecting vulnerable segments of the youth population. Inclusive governance entails the active participation of all citizens, yet substance abuse undermines the capacity of young people to engage meaningfully in democratic processes and advocate for their rights.

VII. Persons with disabilities and other traditionally marginalized groups

77. Since its ratification of the Convention on the Rights of Persons with Disabilities in 2010, Maldives has taken steps to address the needs and rights of marginalized groups, including persons with disabilities. The Independent Expert welcomes the enactment of the Disability Act (No. 8/2010) in 2010 as an important step aimed at safeguarding the rights and ensuring the inclusion of persons with disabilities in various spheres of society, including politics.

78. The Government has initiated awareness-raising campaigns and capacity-building programmes to raise awareness among the public and decision makers about the rights and needs of marginalized communities, which the Independent Expert considers to be a positive step towards their inclusion.

79. The establishment of the National Disability Council demonstrates a commitment to institutionalizing mechanisms for addressing disability-related issues and promoting inclusive policies.

80. However, marginalized groups, including persons with disabilities, continue to encounter barriers to meaningful participation in public decision-making processes. One of the primary challenges is the lack of accessibility of physical infrastructure, transportation and communication channels, which restricts the mobility and participation of persons with disabilities, as was particularly apparent to the Independent Expert during his visit. In addition, societal attitudes and stigma towards disability often perpetuate discrimination and exclusion, limiting opportunities for engagement in political and civic activities.

81. There remains a gap between policy formulation and implementation, with limited resources allocated to ensure the effective implementation of inclusive policies and programmes, such as the disability allowance programme, which, regrettably, does not always benefit all communities far from major cities, due to the lack of accessibility, infrastructure and connectivity in the islands.

82. As a result, marginalized groups, including persons with disabilities and older persons, may not receive the support and accommodations necessary to fully exercise their rights and participate in decision-making processes.

VIII. Civic space

83. To guarantee an effective democratic process and broaden civic space in the various spheres of public life, the Government of Maldives has initiated dialogue with civil society organizations and established platforms for consultation, albeit with varying degrees of inclusivity and effectiveness.

84. The Independent Expert commends the creation of a non-governmental organization support fund at the government level and calls for mechanisms to strengthen awareness of the fund, enhance its accessibility, improve the conditions of access to such funding and enable it to contribute to the strengthening of the advocacy work of several organizations in the country.

85. The Independent Expert welcomes the Government's efforts to digitalize governance processes and enhance transparency through online platforms, which demonstrates a recognition of the importance of leveraging technology to expand civic space and facilitate public participation.

86. Nevertheless, civil society actors in Maldives face numerous impediments to their ability to operate freely and effectively. One of the primary concerns is the restrictive legal environment, characterized by vague and ambiguous laws that grant authorities broad discretion to curtail civil liberties in the name of national security or public order. The selective application of laws and regulations limits the freedom to operate freely and smoothly.

87. Concerns over the rule according to which a person may be a member of the executive committee of only one association, as provided for in article 43 (e) (3) of the Association Act (No. 3/2022), were also reported during the Independent Expert's visit. The Independent Expert is concerned that the provision in question might be too restrictive and therefore limit civil society's access to the decision-making process.

88. Civil society actors reported cases of harassment, in particular against those advocating for human rights, social justice and political reform. The politicization of civil society, whereby organizations are co-opted or coerced into aligning with government agendas, undermining their independence and credibility as advocates for the public interest, has also been reported.

IX. Climate change

89. As Maldives is a country situated on the front line of climate vulnerability, the Independent Expert was particularly interested in assessing the efforts made and challenges faced by Maldives at the international level to mitigate the effects of climate change.

90. Maldives faces existential threats from rising sea levels, extreme weather events and ocean acidification. Despite its limited resources and geographical constraints, Maldives has demonstrated leadership in advocating for climate action and implementing adaptation and mitigation measures.

91. The Independent Expert commends the development of a draft comprehensive strategy to address climate change at the national level. The Climate Change Adaptation Policy Framework and the National Climate Change Policy outline strategic priorities and action plans to enhance resilience and reduce vulnerability to climate-related risks. These policies encompass sectors such as coastal protection, water resource management, agriculture and infrastructure development, aiming to mainstream climate considerations into national planning and decision-making processes.

92. The Independent Expert welcomes the Government's efforts to increase climate resilience through the National Adaptation Plan, in cooperation with the United Nations Environment Programme.

93. Maldives has prioritized renewable energy development as a key pillar of its climate change strategy. The Renewable Energy Investment Framework is aimed at ensuring a 100 per cent transition to renewable energy by 2030, leveraging the country's abundant solar and wind resources. Initiatives such as the installation of solar panels on some of the islands, the promotion of energy-efficient technologies and the establishment of a renewable energy fund demonstrate a commitment to reducing carbon emissions and building a sustainable energy future.

94. At the international level, recognizing the transboundary nature of climate change, Maldives actively engages in international cooperation to address global warming and reduce its greenhouse gas emissions, which currently account for 0.00035 per cent of the global share. As a member of the Alliance of Small Island States and the Climate Vulnerable Forum,¹³ Maldives advocates ambitious emissions reduction targets, climate finance initiatives and adaptation support for vulnerable countries.

95. Maldives has pledged to uphold its commitments under the Paris Agreement, including through the submission of its nationally determined contributions,¹⁴ to mitigate emissions and to enhance resilience. Through diplomatic channels and participation in global climate summits, such as the Conference of the Parties to the United Nations Framework Convention on Climate Change, Maldives can amplify its voice on the international stage, calling for urgent and collective action to limit global warming to well below 2°C above pre-industrial levels.

96. Nevertheless, despite commendable efforts, Maldives faces several challenges in effectively managing the impacts of climate change. One of the most pressing issues is its limited financial and technical capacity to implement adaptation and mitigation projects, exacerbated by competing development priorities and external debt burdens. The vulnerability of small island developing States such as Maldives underscores the urgent need for enhanced international support, including climate finance, technology transfer and capacity-building assistance.

97. The reliance of Maldives on imported fossil fuels for energy generation poses a significant barrier to achieving renewable energy targets. High upfront costs, inadequate infrastructure and regulatory barriers hinder the widespread adoption of renewable energy technologies, prolonging dependence on carbon-intensive sources and hindering progress towards a low-carbon economy.

98. Coastal erosion, saltwater intrusion and coral reef degradation threaten ecosystems and livelihoods in Maldives, underscoring the need for ecosystem-based adaptation measures and sustainable natural resource management practices. Strengthening governance frameworks, enhancing scientific research and monitoring capabilities and promoting community engagement are essential to the effective safeguarding of marine and terrestrial ecosystems from climate impacts.

X. Conclusions and recommendations

99. **In the light of his visit to the country, the Independent Expert concludes that Maldives has made notable progress in its economic development journey towards achieving inclusive development and good governance, although there remain critical issues that must be addressed from a human rights perspective.**

100. **The Independent Expert calls upon the Government of Maldives to adopt a more comprehensive approach that prioritizes human rights, sustainable development and**

¹³ See <https://www.thecvf.org/about/>.

¹⁴ See <https://climatepromise.undp.org/what-we-do/where-we-work/maldives>.

international cooperation, to ensure that economic growth is inclusive, resilient, sustainable and equitable for all citizens.

101. In the light of the above observations, the Independent Expert makes the following recommendations to the Government of Maldives in relation to maintaining peace and security:

- (a) Strengthen democratic institutions and promote greater transparency and accountability in governance;
- (b) Prioritize peaceful coexistence with neighbouring countries, while enhancing maritime security and countering transnational threats through collaboration with regional and global partners;
- (c) Deepen international cooperation, which remains indispensable for addressing the multifaceted security challenges confronting the country and the broader Indian Ocean region.

102. The Independent Expert makes the following recommendations to the Government of Maldives in relation to the economy:

- (a) Mainstream human rights considerations into economic policymaking and development planning processes by integrating human rights impact assessments into debt-financed projects and ensure the meaningful participation of civil society and affected communities in decision-making processes;
- (b) Prioritize the debt sustainability and transparency strategy, including by conducting a comprehensive debt sustainability analysis, and ensure greater transparency in debt contracting and management processes;
- (c) Strengthen legal and institutional frameworks for debt management and develop more effective debt monitoring and reporting mechanisms;
- (d) Diversify the economy beyond tourism to reduce dependence on external factors and promote inclusive growth. Investing in industries such as agriculture, fisheries, information technology and renewable energy will help to stimulate economic diversification and reduce vulnerability to external shocks. Promoting small- and medium-sized enterprises and entrepreneurship will also create opportunities for economic empowerment and inclusive growth;
- (e) Further strengthen economic investment in social welfare programmes to address income inequality, improve access to health care and education and enhance social protection for vulnerable populations;
- (f) Strengthen mechanisms for greater transparency and accountability in fund management to rebuild public trust and ensure the efficient and equitable allocation of resources. Implementing robust monitoring and oversight mechanisms and promoting greater civic engagement and participation are essential steps in this regard;
- (g) Broaden partnerships and cooperation with international organizations, development agencies and donor countries to gain access to technical expertise and financial assistance and identify market opportunities. Collaborative efforts are crucial in making progress in the achievement of the Sustainable Development Goals and addressing cross-cutting challenges. Leveraging international cooperation will help to mobilize resources, build capacity and promote knowledge-sharing, thereby fostering economic resilience and stronger human rights protection.

103. The Independent Expert makes the following recommendations to the Government of Maldives in relation to social protection and poverty reduction:

- (a) Adopt comprehensive reforms and targeted interventions specifically to enhance the coverage, efficiency and relevance of social protection programmes through improved data-collection mechanisms, streamlined administrative processes and increased outreach efforts so that remote areas can benefit more effectively;

(b) Invest in infrastructure development, in particular in remote areas and atolls, as this is crucial for improving access to essential services and economic opportunities;

(c) Prioritize social protection programmes and inclusive growth strategies to address poverty and inequality, enhance access to basic services and promote socioeconomic rights. This includes expanding social safety nets, investing in education and health care and promoting employment opportunities for vulnerable populations.

104. The Independent Expert makes the following recommendations to the Government of Maldives in relation to migrant workers:

(a) Ratify the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families;

(b) Enact comprehensive legislation specifically addressing the rights and protections of migrant workers, aligned with international human rights standards and conventions and including provisions on equal treatment, non-discrimination and access to justice for migrant workers;

(c) Establish robust monitoring mechanisms to oversee the implementation of laws and regulations pertaining to migrant workers;

(d) Enhance the capacity of relevant government agencies to conduct regular inspections of workplaces, living conditions and recruitment agencies to prevent possible exploitation and abuse;

(e) Improve access to justice for migrant workers by establishing legal aid services and facilitating access to courts and complaint mechanisms;

(f) Ensure that migrant workers are aware of their rights and avenues for seeking redress in cases of exploitation, abuse or non-payment of wages;

(g) Regulate and monitor labour recruitment agencies to prevent fraudulent practices, excessive recruitment fees and debt bondage;

(h) Strengthen mechanisms for verifying the legality and legitimacy of job offers and contracts provided to migrant workers before they migrate to Maldives;

(i) Ensure that all migrant workers receive fair and equal wages for their work, in accordance with national minimum wage laws and industry standards;

(j) Guarantee access for migrant workers to essential services, such as health care, education and social protection schemes;

(k) Remove any administrative barriers or discriminatory practices that hinder migrant workers from gaining access to such services;

(l) Conduct awareness-raising campaigns targeting both migrant workers and host communities to promote understanding of migrant rights and foster social inclusion;

(m) Provide avenues for migrant workers to participate in decision-making processes that affect their rights and interests.

105. The Independent Expert makes the following recommendations to the Government of Maldives in relation to public participation and good governance:

(a) Uphold democratic principles, protect human rights and strengthen governance institutions to advance inclusive and sustainable development;

(b) Empower marginalized groups, foster an enabling environment for civil society and promote dialogue and consensus-building, which are critical steps towards fostering a culture of public participation and good governance.

106. The Independent Expert makes the following recommendations to the Government of Maldives in relation to women's participation in public decision-making processes:

(a) Implement legislative reforms to strengthen gender quotas and ensure their effective implementation and increase women's representation in political leadership roles;

(b) Institutionalize capacity-building initiatives, including training programmes and mentorship opportunities, to empower women to overcome systemic barriers and actively participate in decision-making processes;

(c) Increase public awareness campaigns and advocacy efforts to challenge patriarchal norms, combat gender stereotypes and promote a culture of inclusivity and gender equality in society.

107. The Independent Expert makes the following recommendations to the Government of Maldives in relation to persons with disabilities:

(a) Invest in enhancing accessibility infrastructure, including ramps, Braille signage and assistive technologies, to ensure that persons with disabilities can access public spaces and participate in decision-making processes without barriers;

(b) Conduct targeted awareness campaigns and training programmes to challenge stereotypes and misconceptions about disability, fostering a culture of inclusivity and respect for diversity within society;

(c) Provide training and capacity-building opportunities for persons with disabilities to develop leadership skills, advocacy abilities and political awareness, empowering them to actively engage in public decision-making processes;

(d) Strengthen mechanisms for monitoring and evaluating the implementation of disability-inclusive policies, ensuring that adequate resources are allocated and that accountability mechanisms are in place to address gaps and barriers;

(e) Foster meaningful consultation with and participation of marginalized groups, including persons with disabilities, in the design, implementation and evaluation of policies and programmes that affect their lives, ensuring that their voices are heard and their needs are addressed.

108. The Independent Expert makes the following recommendations to the Government of Maldives in relation to the civic space:

(a) Undertake comprehensive legal reforms to align domestic legislation with international human rights standards, ensuring that laws related to freedom of expression, association and peaceful assembly are clear, specific and non-discriminatory;

(b) Strengthen the independence and impartiality of the judiciary to serve as a check on executive power and safeguard constitutional rights, including the rights to freedom of expression and association;

(c) Provide capacity-building support and resources to civil society organizations to enhance their advocacy skills, organizational sustainability and resilience in the face of challenges and threats;

(d) Foster meaningful dialogue and consultation between the Government and civil society, ensuring that decision-making processes are inclusive, transparent and responsive to the needs and aspirations of the population;

(e) Conduct public awareness campaigns to promote a culture of respect for human rights, diversity and democratic values, challenging stereotypes and misconceptions that undermine civic engagement and participation;

(f) Engage with international partners, including multilateral organizations and diplomatic missions, to garner support and solidarity for the protection and promotion of the civic space in Maldives, including through diplomatic pressure, advocacy and technical assistance;

(g) Promote community-based initiatives and grass-roots movements that empower marginalized groups, amplify their voices and address local challenges through collective action and social mobilization.

109. The Independent Expert makes the following recommendations to the Government of Maldives in relation to climate change:

(a) Mobilize additional climate finance resources, including grants, concessional loans and innovative financing mechanisms, to support the implementation of more ambitious adaptation and mitigation projects in Maldives;

(b) Facilitate the transfer of environmentally sound technologies and expertise to Maldives to enhance renewable energy deployment, improve energy efficiency and build climate resilience across sectors;

(c) Invest in human and institutional capacity-building to strengthen climate change governance, improve data collection and analysis and empower local communities to participate in decision-making processes;

(d) Prioritize ecosystem-based adaptation approaches, such as coral reef restoration, mangrove conservation and sustainable land management, to enhance resilience and protect biodiversity in the face of climate change;

(e) Mainstream climate considerations into national development plans, sectoral policies and infrastructure projects to ensure coherence and alignment with long-term climate goals;

(f) Foster community-based adaptation initiatives that empower local communities, in particular vulnerable groups, to build resilience, diversify livelihoods and adapt to changing environmental conditions;

(g) Continue to advocate for ambitious climate action at the international level, amplifying the voices of vulnerable countries and promoting solidarity and cooperation in addressing the global climate crisis.
