



International Covenant on Civil and Political Rights

Distr.: General
25 July 2024

Original: English

Human Rights Committee 141st session

Summary record of the 4127th meeting

Held at the Palais Wilson, Geneva, on Wednesday, 10 July 2024, at 10 a.m.

Chair: Ms. Abdo Rocholl

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The meeting was called to order at 10 a.m.

Consideration of reports submitted by States parties under article 40 of the Covenant
(continued)

*Second periodic report of Maldives (continued) (CCPR/C/MDV/2;
CCPR/C/MDV/QPR/2)*

1. *At the invitation of the Chair, the delegation of Maldives joined the meeting.*
2. **The Chair** invited the delegation to resume replying to the questions raised by Committee members at the previous meeting.
3. **A representative of Maldives** said that, in 2022, with support from the United Nations Development Programme, the Attorney General's Office had launched a social media awareness-raising campaign on constitutional rights, freedoms and governance. The fourth amendment to the Criminal Procedure Act, enacted in 2022, had introduced enhanced rules for witness protection and provided for the application of witness protection orders. A witness protection unit had been operational within the Maldives Police Service since July 2022, and the Prosecutor General's Office had developed handbooks and audiovisual materials to assist witnesses during trials. Protecting the identity of witnesses required the absolute integrity of officials, and the Government was planning to introduce stringent measures to prevent witnesses' identities from being revealed.
4. While *ruqya*, a form of exorcism, was practised for healing purposes, the legal system set forth clear criminal penalties for any act leading to the abuse of women or children, and, under the Child Rights Protection Act, all children had the right to protection from social and cultural practices that had a negative impact on them. Multiple criminal charges had been brought against two suspects in relation to the 2020 case involving *ruqya* about which Mr. Quezada Cabrera had asked the previous day. That case was currently before the Criminal Court.
5. Case law formed part of the legal framework, and judges were required to follow the decisions of higher courts; it was therefore not changes in legislation on sexual offences that were required, but further training to ensure that judges accurately interpreted legal provisions. The first amendment to the Sexual Offences Act had effectively repealed section 52, which had contained discriminatory evidentiary requirements; the amendment had also made the use of rape kits mandatory for the collection of evidence and introduced victim-centred and trauma-informed approaches to investigations of rape cases.
6. Proposed amendments to the Domestic Violence Prevention Act had been submitted to the Attorney General's Office but required further work to reflect policy changes regarding the functions of the Family Protection Authority. The next phase of the ongoing review of family law, including the Domestic Violence Prevention Act, would involve stakeholder consultations.
7. As part of awareness-raising and capacity-building efforts to counter the risk that women would seek unsafe abortions, health-care providers and stakeholders had been trained to effectively address reproductive needs, community-based programmes had been introduced to make parents, teachers and community leaders aware of the importance of sexual and reproductive health, and age-appropriate sessions had been delivered in collaboration with the Ministry of Education. Social media and mobile applications had been used to help young persons locate sexual and reproductive health information and services. Abortion was criminalized only after the first 120 days of pregnancy; the law also provided for certain exceptions to that time limit; for example, abortions could be performed after that time if a health-care professional determined that the mother was at risk of serious harm.
8. Fathimath Hana had been convicted of intentional murder, not of being an accessory to murder; the conviction had been upheld by the High Court and was currently being appealed before the Supreme Court. Hana and her legal counsel could raise issues regarding discrimination or disproportionate measures at the ongoing Supreme Court hearings.
9. Under the Clemency Act, the President could commute death sentences to life imprisonment; however, a 2015 High Court decision had established that, in line with Islamic

law, only the victim's heirs could commute a death sentence in cases of intentional murder. In such cases, counselling was provided for the accused and the victim's family or heirs during the trial and after a conviction had been rendered to encourage commutation. The sentences of stoning issued by magistrate courts in two cases had immediately been revoked by order of the Supreme Court.

10. **A representative of Maldives** said that, before any political appointment was made, candidates were thoroughly vetted; no person with a criminal conviction could be appointed to a high-ranking political position, and any person in a political position who was convicted of corruption was immediately removed from office. Action had been taken against several political appointees for misconduct since the current Administration had taken office in November 2023.

11. Investigations into corruption in the Maldives Marketing and Public Relations Corporation were ongoing; cases in which there had been sufficient evidence, including some involving top government officials, had been prosecuted. Following amendments to the Tourism Act, tourism tenders could no longer be offered by State-owned enterprises and were instead conducted by the Ministry of Tourism, and the Ministry was required to share information regarding tenders with the Auditor General and the Anti-Corruption Commission. Guidelines on financial parameters for tourism tenders were now publicly available. An asset recovery bill would be introduced to bridge gaps in the existing legal framework and to introduce a comprehensive asset recovery mechanism that would give relevant investigative bodies additional powers.

12. **A representative of Maldives** said that all the initiatives regarding the prevention of domestic and gender-based violence and protection against it covered women with disabilities, and all medical services available to victims of such violence were provided to women with disabilities without discrimination. The Ministry of Gender, Family and Social Services provided audio files or sign language interpretation during legal proceedings at the request of persons with visual or hearing impairments, and sign language interpretation would be made available in police stations and the courts. Work was under way on a national centre for rehabilitation and prevention services for persons with disabilities; further centres would be established to provide them with accessible and affordable therapy.

13. **Mr. Ndiaye** said that he wished to know whether consultations had been conducted, particularly with vulnerable women and young people, regarding plans to combat climate change. He wondered whether, in the context of international cooperation in the pursuit of Sustainable Development Goal 13, the State party had taken a human rights-based approach, had worked to mobilize rights holders and had incorporated the principles of accountability, empowerment, non-discrimination and respect for international standards. He would like to know what measures had been planned to prevent overfishing, particularly by foreign factory ships, and to ensure that the tourism industry was environmentally friendly, provided green jobs for women and young people, and used only renewable energy sources.

14. He wished to know how many complaints there had been of torture or cruel, inhuman or degrading treatment since 2021, how many judgments had been issued in those cases, how many had led to convictions and how many victims had received reparations. Information would be welcome on any measures that had been taken to establish an independent forensic institution to conduct testing in such cases and on any steps or plans to improve detention conditions or construct new prisons. He would like to know whether women's and men's testimony was given equal weight in cases of sexual violence or rape; how the State party ensured that legal aid was available throughout the country in cases involving sexual or domestic violence and in all related criminal and civil proceedings, including those regarding harassment, divorce and custody; what the status of the bill on legal aid was; what the annual budget for the provision of legal aid was; and what other measures had been taken to ensure access to justice for those in need.

15. **Mr. Quezada Cabrera** said that, following the review of the Anti-Torture Act of 2013, he wondered whether statutory limitations had been declared inapplicable to acts of torture or whether the statutes of limitations currently set out in the Penal Code had been significantly increased. He wished to know whether the staff of detention centres had received sufficient training on working with persons with intellectual disabilities and meeting

their specific needs. He would also like to know what the results had been of investigations conducted by the Ombudsperson's Office for Transitional Justice into cases of torture that had allegedly taken place prior to 2008 and at the time of the demonstrations of 8 February 2012 in Male' and Addu. The Committee had been informed that the Government had closed that office in November 2023. If that was true, he would be interested in learning why. He wondered what steps had been taken to address the increasing number of cases of torture, particularly physical torture, committed by the police and why so few of those cases had yet been prosecuted.

16. He wished to know what measures had been taken to reduce overcrowding in prisons and to use alternatives to pretrial detention, what conditions were like in police custodial facilities in which pretrial detainees could be held for up to 45 days and whether those persons were treated in line with international standards, including the United Nations Standard Minimum Rules for the Treatment of Prisoners (the Nelson Mandela Rules). He wished to know what measures had been taken to address the difficulties faced by the national preventive mechanism in inspecting detention centres and whether an independent complaints mechanism had been established in all places of deprivation of liberty.

17. He wondered whether the State party planned to accede to the 1951 Convention relating to the Status of Refugees and the 1967 Protocol thereto, how the State party handled asylum and refugee status applications and whether relevant statistics were available. He wished to know how the State party determined whether a person was at risk of being subjected to torture or inhuman or degrading treatment in a country to which he or she might be extradited or transferred, which authority was responsible for such determinations and whether legal remedies were available to contest decisions in which the principle of non-refoulement had not been applied.

18. **Ms. Kran** said that she would like to know what measures were being taken to identify victims of human trafficking and to improve investigations, pursue prosecutions and increase penalties in trafficking cases; how the State party ensured that the National Steering Committee on Human Trafficking had sufficient resources following its reconstitution; what the State party was doing to combat sex tourism, particularly when it involved child victims; and what steps would be taken to improve and expand workplace inspections by the Labour Relations Authority across the country. She wondered how the State party ensured that victims received protection, assistance and compensation, that interpretation services were made available to them and, if they were detained, that they were given the opportunity to challenge their detention in line with the Anti-Human Trafficking Act. She wished to know what steps were planned to improve the oversight of private recruitment agencies and employers to prevent the practice known as "quota trading", whereby migrant workers were hired outside legal channels to bypass quota restrictions on their employment, and what legislative action was planned to protect migrant workers' right to fair pay. She was keen to learn how freedom of religion was guaranteed for migrants, since they were barred from bringing religious texts and objects into the country and what steps would be taken to make the regularization programme for migrant workers more accessible.

19. She understood that the Maldivian Democracy Network had been arbitrarily deregistered in 2019 and wondered what steps had been taken to reinstate it and return the funds that had been seized from it. She wished to know what steps were being taken to ensure thorough, impartial investigations into online and offline attacks against human rights activists and organizations and to hold perpetrators accountable. She would like to know what measures had been taken to ensure that complaints of excessive use of force against protestors were investigated promptly, thoroughly and with proper oversight; to ensure that the findings of those investigations were made public; and to provide training and resources to judges, prosecutors and law enforcement agencies on the right to freedom of assembly and the Committee's general comment No. 37 (2020). She wondered whether the State party planned to repeal or amend the 2016 amendment to the Freedom of Peaceful Assembly Act, which restricted public assemblies in Male' to a single designated area, and what measures were in place to ensure that public gatherings were permitted in line with the Covenant and the Committee's general comment No. 37 (2020).

20. **Ms. Kpatcha Tchamdja** said that she would be grateful for further details regarding the civil and political rights violations that were the subject of the 51 complaints being handled by the Office for Civil Rights.

21. It would be of interest to know whether non-Muslims had the right to publicly exercise their religions and whether the State party intended to take steps to repeal the provisions prohibiting non-Muslims from becoming Maldivian citizens. She would welcome a response to reports that the Religious Unity Act of 1994 had been used to target human rights defenders seeking to protect the right to freedom of religion or belief.

22. In the light of reports concerning a lack of independence among the country's media outlets, she wondered how the State party would ensure such outlets' independence despite the fact that so much of the financing for the media came from advertisements placed by the State party.

23. She wished to know what the findings of the Presidential Commission on Investigation of Murders and Enforced Disappearances had been in each case that it had dealt with, whether those findings had been disclosed to the families of the victims and the public, and what reparations had been granted to the families concerned.

24. She would like to learn more about future measures to protect journalists from threats and to punish perpetrators of attacks on journalists' physical and professional integrity. Did the Evidence Act of 2022 not violate the Constitution by giving the courts the power to force journalists to reveal their sources?

25. She wondered what measures would be implemented to ensure that all government departments complied with the Right to Information Act of 2014 and when the State party would fulfil its commitment to enact laws on freedom of the press and freedom of expression.

26. **Mr. Santos Pais** said that he would like to know what the status of the Government judicial reform plan was with regard to the district courts, circuit courts and magistrate courts, whether the plan covered the entire territory of the State party and what measures had been introduced to reduce the significant backlog of court cases and to speed up trials. Information would be welcome on the amendment to the Judicial Service Commission Act. It would be useful to know whether the competency-based training curriculum for non-judicial personnel was in place and whether court management models had been rolled out for appellate courts.

27. He wondered what improvements had stemmed from the new regulations governing the selection process for judges; what criteria had been introduced to prevent political interference and to ensure a more transparent, fair and fact-based process; how many judges had been recruited in accordance with the new regulations; and what the criteria and procedure were for the appointment of prosecutors. He wished to hear the State party's assessment of the amendments made to the Judges Act. He wondered how effective the mandatory asset declaration rules had been, how many judges and magistrates had been subject to the new appraisal procedure and how the Judicial Service Commission monitored asset declarations.

28. It would be of interest to know whether the State party would consider reviewing both the role of the President and parliament in the appointment of the Chief Justice and judges of the Supreme Court and the role of the parliament in the removal of judges. Were there any plans to abolish the stipulation that judges must be followers of a Sunni school of Islam?

29. It would be useful to know whether any judges had been tried and found guilty of corruption or other form of misconduct and, if so, what disciplinary or criminal sanctions had been imposed. He would welcome information on the measures taken to develop a complaints management system and step up the training available to staff of the Judicial Service Commission, prosecutors and investigators on new legislation and human rights issues. He wondered what measures were planned or already in place to protect judges and prosecutors who received threats.

30. He would be grateful for further details on the measures adopted to ensure the transparency, independence and effectiveness of the Judicial Service Commission and on how the State party planned to deal with threats targeting defence lawyers, particularly in

cases involving charges related to undermining religious unity or tenets of Islam or to domestic violence, sexual violence and harassment.

31. He wondered whether the Government considered its plan to lower the age of criminal responsibility to 12 years to be in line with the Covenant and the Convention on the Rights of the Child. He would also be interested to hear the State party's assessment of the implementation of the Juvenile Justice Act. The Committee would like to know how many judges, prosecutors, law enforcement officers and social workers had been trained to deal with children in conflict with the law; what substantive actions had been taken to stop legal guardians from neglecting or abusing their charges; and what measures had been implemented within the framework of diversion, rehabilitation and early intervention programmes.

32. He would welcome further information on the action taken to stop gangs and other criminal groups from exploiting children; on the number of juveniles who had been subject to rehabilitation treatment plans for substance abuse disorders and how effective those plans had been; and on plans to establish a rehabilitation centre for minors where they would be trained to serve in the police force or army. Was there not a risk that excluding minor offenders from formal education and social life and transferring them directly to the law enforcement service could create a dangerous generation of law enforcement officers?

33. The Committee was concerned that, although the Child Rights Protection Act had effectively prohibited corporal punishment in all institutional settings, the Maldivian Penal Code still allowed the imposition of hudud punishments at the discretion of a judge. He would like to know how many hudud punishments had been imposed on minors in the last three years and the age of the children in question.

34. He wondered what measures would be taken to ensure that programmes broadcast by the State media provided equal opportunities for all electoral candidates and to protect political actors and candidates from death threats or physical assault. He wished to know whether the State party was considering strengthening legal provisions to prevent the misuse of State resources during electoral periods.

35. He would welcome the delegation's comments on allegations that public funds were used to create new jobs as a way of garnering support for certain political candidates. Were there any plans to prevent the appointment of politicians to government agencies without a cooling-off period to avoid possible conflicts of interest?

The meeting was suspended at 11 a.m. and resumed at 11.25 a.m.

36. **A representative of Maldives** said that policies and legislative changes to address the consequences of climate change and reduce the country's carbon footprint had been implemented in consultation with the public, civil society organizations and government stakeholders. Important recently enacted laws included the Climate Emergency Act of 2021, the Maldives Energy Act of 2021 and the Waste Management Act of 2022. The Government aimed to improve the country's climate resilience by increasing renewable energy production to 33 per cent of the total and implementing a wide range of climate-friendly measures. It was also working with international partners to address climate change issues.

37. Tackling illegal, unreported and unregulated fishing was a key focus of maritime security efforts. Drones were being used to enhance the monitoring of the Maldivian exclusive economic zone, thereby reducing the number of unreported cases of illegal fishing. In order to embed sustainable practices into the tourism industry, the Government had made the use of renewable energy tax-free and introduced net metering and feed-in tariffs.

38. **A representative of Maldives** said that a special unit had been formed in the Maldives Police Service on 1 July 2024 to ensure that the necessary resources were available to investigate and prosecute cases of human trafficking. The new National Anti-Human Trafficking Steering Committee was formulating an action plan for 2024–2026, and the Anti-Trafficking in Persons Office had launched a hotline for reporting cases and sharing information related to human trafficking. To ensure that the Anti-Trafficking in Persons Office was properly resourced, it had been moved to the Ministry of Homeland Security and Technology and provided with two permanent staff members.

39. Operation Kurangi had been set up to facilitate the biometric identification of all individuals entering the country, with the exception of persons on a tourist visa. The Government aimed to create a record of all migrant workers and persons entering the country within a year's time as a basis for implementing an extensive reintegration programme for migrant workers. A shelter and a resource centre had been made available for migrant workers who were victims of trafficking.

40. The Ministry of Homeland Security and Technology was conducting investigations into cases of suspected quota trading. Changes to current regulations on quotas and the issuance of work permits would open the way for taking action to put a stop to that practice. Although the seventh amendment to the Employment Act of the Maldives of 2008 had postponed the determination of a minimum wage for migrant workers until the Maldivian economy stabilized, the Government was committed to doing so as soon as possible.

41. Since 2019, a total of 21,621 migrant workers had benefited from the programme to regularize their status. The application procedure had been streamlined to simplify the identity verification process for employers. Individuals' eligibility for regularization could now be checked in real time by employers following the completion of the biometric verification process. The procedure for authorizing undocumented workers to change employers without the consent of their current employer would be facilitated under certain conditions.

42. The significant increase in the number of cases of torture reported to the Maldives National Mechanism for Reporting and Follow-up could well be a reflection of the fact that detainees had lately become more aware of the fact that they were free to report any grievance without hindrance. The Government was committed to giving investigative authorities every opportunity to conduct prison visits to ensure that prison conditions were appropriate and to prevent torture in detention settings. A new correctional facility would be built that adhered to all relevant standards. To reduce overcrowding in existing prisons, the Government was focusing on community-based rehabilitation for minimum security prisoners and on extending the parole programme to all eligible individuals.

43. Training had been provided to medical personnel and law enforcement officers on meeting the needs of prisoners with disabilities, including persons who were not literate or unable to communicate because of their disability. Any authority or organization had the right to request access to detention facilities for monitoring purposes.

44. **A representative of Maldives** said that the Ombudsperson's Office for Transitional Justice had initially been established for a two-year period, which had then been extended by an additional year to November 2023. Owing to deficiencies in the way in which the previous Administration had set up the Office, her Government had discovered, upon assuming office, that the procedures for receiving complaints, conducting investigations and maintaining case reports were inadequate. Those inadequacies severely impeded the Government's ability to ascertain how some cases had been resolved, if at all. The Government was committed to solving that problem but had not yet settled upon exactly which approach to take in order to do so.

45. **A representative of Maldives** said that she wished to assure the Committee that the Government would, as previously promised, consider ways of amending the Penal Code and Anti-Torture Act to abolish the statute of limitations for the offence of torture. The procedures whereby persons deprived of their liberty could submit complaints were laid out in the Prisons and Parole Act of Maldives. Such complaints could be submitted to the Director of Prisons or the Inspector of Correctional Services, as well as to the Human Rights Commission of the Maldives, to the People's Majlis or to the Judicial Service Commission. Once it had forwarded the complaint to the relevant authority, the Maldives Correctional Service gave prisoners written confirmation of its delivery. Prisoners were briefed on the complaint procedure upon their arrival at a correctional facility. A complaint form was available to prisoners upon request.

46. **A representative of Maldives** said that, with respect to the 1951 Convention relating to the Status of Refugees, the 1954 Convention relating to the Status of Stateless Persons and subsequent treaties on those issues, his Government's extensive programme for providing a pathway for undocumented workers to return to their country was absorbing so many

resources that it was not in a position at that time to enter into any further statutory obligations with regard to refugees, asylum-seekers or stateless persons. Accordingly, it had no formal regulations or procedures pertaining to such persons, who were instead dealt with in an ad hoc manner with due regard for domestic law and the treaty obligations of Maldives. In recent years, his Government had offered some persons who had become stranded in the country such assistance as special visas, accommodation and temporary employment. In the absence of a legal framework on the matter, the Government worked with the Office of the United Nations High Commissioner for Refugees and the International Organization for Migration to resettle asylum-seekers and stateless persons in third countries.

47. **A representative of Maldives** said that, in accordance with the Constitution, legal aid was available to defendants in serious criminal cases if they did not have the funds to engage a lawyer on their own. In addition, pursuant to the Juvenile Justice Act, legal aid was furnished to children accused of a criminal offence who were unable to afford a defence lawyer. Furthermore, the State was obligated, under the Domestic Violence Prevention Act, to provide legal aid to victims of domestic violence. State legal aid was not, however, currently available for victims of sexual violence or harassment or for parties to cases involving such family matters as custody or divorce proceedings. In those cases, legal aid was provided by civil society organizations. The Government was planning to submit a legal aid bill to the parliament by mid-2025, but before a final version of the bill was chosen, extensive consultations would be conducted during which the Government would consider the importance of providing legal aid both in criminal cases and in some civil cases.

48. **A representative of Maldives** said that the reorganization of the courts was one of the priorities on her Government's legislative agenda. Given the resource allocation challenges posed by the current situation, in which each inhabited island – some with far larger caseloads than others – had a magistrate court, all stakeholders would be consulted with a view to deciding upon the most efficient system for organizing the Maldivian courts. While considerable efforts had been made to increase public trust in the judiciary and while studies conducted by civil society organizations demonstrated a generally positive public view of the judiciary's efficiency, challenges persisted. The judiciary remained committed to addressing those challenges through ongoing efforts to enhance its transparency and accountability.

49. The Government had, for several years, been increasing the human resources available to the judicial branch, building its digital infrastructure and modernizing courthouses. It had established an integrated case management system to facilitate information-sharing with the Prosecutor General's Office, the Maldives Police Service and other stakeholders, to enable online processing of court orders and to facilitate the scheduling of hearings and the exchange of court documents. In 2022, an initiative to clear the Criminal Court's case backlog by prioritizing the cases of persons who had been on remand or accused of child sexual abuse offences had permitted the conclusion of over 480 long-pending cases. By 2020, videoconferencing systems had been installed in all Maldivian courts and all staff had been trained in how to conduct online hearings, thus increasing the courts' efficiency. In order to prevent delays caused by the difficulty of having in-court statements transcribed, a speech-to-text application had been introduced in March 2024. Under the Judicial Service Commission Act, the involvement of the Chief Judicial Administrator in case registration in the magistrate courts had strengthened the registration process and improved access to justice.

50. The Judicial Academy provided ongoing training for all judges and other court staff on all new laws, including the newly enacted Penal Code and Criminal Procedure Code and on the Evidence Act. Key concepts relating to human rights, gender equality, fair trial rights and judicial ethics were covered in mandatory induction and in-service training for all judges. When deemed necessary, following a risk assessment, the Maldives Police Service and the Maldives National Defence Force provided security for members of the judiciary. Standard operating procedures were in place that outlined the procedure whereby judges could request such security.

51. While a 16 per cent increase since 2019 in the proportion of women members of the judiciary might seem small, the fact that the number of women judges had risen from 7 to 30

was a positive step that had been made possible by the efforts of the Judicial Service Commission to provide opportunities for women in the judiciary.

52. **A representative of Maldives** said that in 2019 the Judicial Service Commission had established selection criteria that included educational qualifications, experience, integrity and interview performance; the planned introduction of a judicial examination would further improve the calibre of judges, thereby increasing public confidence in the judiciary. No changes had been made in the process for appointing prosecutors since 2021, and the Government had no plans to review the appointment and removal process for judges of the Supreme Court. All judges, along with their spouses and dependent children, had to declare all their liabilities and assets annually, including in the year prior to their appointment and upon their resignation, removal or retirement. In order to streamline the process, the Judicial Service Commission was developing an online asset declaration system. With regard to the procedure for assessing judicial performance, 94 per cent of the eligible judges had been subject to such appraisals, which had pointed up a number of strengths as well as several areas in which improvements were needed. Amended regulations for the appraisal process had been published in 2023. Her Government would ensure that a proposal was put forth for the constitutional amendment required in order to change the Judicial Service Commission's composition in order to prevent political interference in the judiciary.

53. Since article 10 of the Constitution stipulated that the religion of Maldives was Islam and that Islam would form the basis of all the country's laws and given that the Islamic faith was intrinsic to Maldivian identity, her Government did not intend to review its reservation to article 18 of the Covenant. Moreover, under the Religious Unity Act, building places of worship of religions other than Islam was prohibited in Maldives, as was selling, possessing or advertising material that promoted religions other than Islam.

54. **A representative of Maldives** said that the current Administration had extended the term of the Presidential Commission on Investigation of Murders and Enforced Disappearances, which the previous Administration had established, to 31 May 2024. The Commission's final reports had been submitted and the Government was in the process of reviewing its findings, which would be made public and disseminated to the families of victims in such a manner that the attainment of justice in the investigated cases would not be obstructed.

55. Since the Government recognized that the difficulty of achieving a sustainable revenue stream was an obstacle to independent journalism in Maldives, it was planning to allocate a proportion of the State budget to media organizations with a view to reducing their dependence on external sources of funding. With regard to the threats faced by journalists, the Government was committed to ensuring the safety of all individuals, including journalists and members of civil society organizations, both in person and online; the Maldives Police Service was required to investigate all such threats and to take appropriate action. In November 2021, the Penal Code had been amended to criminalize hate speech, in particular when such speech had a religious motivation, and the incitement of violence. In addition, the Government had submitted a bill to the parliament in July 2024 aimed at shielding people from online threats and harassment.

56. Concerns had been raised that section 136 of the Evidence Act infringed the constitutional right of journalists not to disclose their sources of information. In reality, that section of the Act protected journalists from being compelled to disclose a source of confidential information without the consent of the source, and exceptions to that rule applied only in cases where the information in question concerned a suspected terrorism offence or threat to national security. Even in those circumstances, the court could order the disclosure of a source only if the case satisfied eight criteria set out in the Act. In spite of that, the Government nonetheless intended to submit a proposed amendment to the Act to parliament in order to address the concerns that had been expressed.

57. Certain shortcomings had been identified in the procedures set out in the Right to Information Act that members of the public could use to request access to information from State institutions. The Government had made plans to amend the Act with the aim of, among other things, addressing the backlog of information requests, clarifying the nature of information that was exempt from disclosure, giving the Information Commissioner more

extensive powers and ensuring accountability for non-compliance. Public consultations would be held as part of the process of drafting the new amendment.

58. The Government was committed to ensuring that civil society organizations and human rights defenders had ample civic space to pursue their activities. The events surrounding the Maldivian Democracy Network should be viewed as a stand-alone case. The measure adopted in regard to that organization had nonetheless not been taken arbitrarily, since it had been decided upon following the conclusion of a thorough investigation by the police and the Ministry of Islamic Affairs. Furthermore, the Government had cooperated fully with the special procedures of the Human Rights Council in respect of the issue and had submitted information to the mandate holder in January 2020. All allegations of threats and harassment against members of the Maldivian Democracy Network had been fully investigated, and no action had been taken to deregister the organization.

59. The Government attached the utmost importance to the protection of human rights defenders. All reports of death threats and threats of violence against human rights defenders were investigated by the police and, where appropriate, cases were forwarded to the competent authorities for prosecution. The Maldives Police Service monitored any instances of harassment of members of non-governmental organizations and civil society organizations across a number of online platforms. It had also stepped up its efforts to prevent the recurrence of such incidents by promptly notifying relevant parties and service providers.

60. The Government was working on a new amendment of the Freedom of Peaceful Assembly Act (No. 1/2013) designed to repeal a detrimental amendment that had been passed in 2016. Although a separate effort to amend the Act had failed when the term of the previous parliament had ended, the matter remained on the Government's legislative agenda.

61. **A representative of Maldives** said that the police took appropriate measures to facilitate the smooth running of public gatherings and protests and to protect those participating in them. As well as protecting freedom of assembly and expression, however, the police also had a duty to protect freedom of movement and the right to enjoy law and order of people who were not participating in such events. When a threat to public order was detected in the context of a gathering or protest, the police acted first and foremost to ensure the safety of participants and other members of the public. In such circumstances, a peaceful resolution was always sought as a priority, and minimal force was used only as a last resort. The Professional Standards Command of the Maldives Police Service was responsible for investigating all allegations of excessive use of force by officers. Information on such allegations was also forwarded to the National Integrity Commission and the Human Rights Commission of the Maldives so that they could conduct their own investigations.

62. **A representative of Maldives** said that the Juvenile Justice Act and the Child Rights Protection Act had both been passed in 2019. Subsequently, in partnership with the local branch of the United Nations Children's Fund (UNICEF), the judiciary had developed sets of enforcement regulations to facilitate their implementation. In 2021, the Juvenile Court had adopted further regulations on hearing criminal cases involving children and had set out procedures for referring cases to trial, measures to ensure that trials took place in child-friendly conditions, guidelines for court actions against juvenile offenders, standards for sentencing and actions aimed at reintegrating juvenile offenders into the community.

63. Over the previous five years, 300 judges and court personnel had received training on the Juvenile Justice Act and the Child Rights Protection Act. The training had covered issues such as understanding the child in the courtroom, international standards related to juvenile justice, the role of the judge during the pretrial phase, rehabilitation and reintegration of juvenile offenders, and taking the best interests of the child into account during judicial proceedings. Some of the training programmes had been organized in collaboration with government partners, including the United Nations Office on Drugs and Crime and the Max Planck Foundation for International Peace and the Rule of Law.

64. **A representative of Maldives** said that there was growing concern in his country that criminal groups were exploiting the minimum age of criminal responsibility by recruiting children between the ages of 12 and 14 to perform illegal activities for them. As a result, a dedicated unit had been established on 1 July 2024 within the Maldives Police Service to combat the activities of criminal organizations and specifically their recruitment of children.

65. The Government had recently made plans to establish long-term residential care facilities for juvenile offenders on a purpose-built artificial island known Hope Island. Under the policy governing this matter, the courts would issue orders for children at risk of offending and children exposed to criminal activities to be sent to the new facilities. To facilitate implementation of the policy, it had been proposed that the Juvenile Justice Act should be amended to lower the minimum age of criminal responsibility to 12 years. It would nonetheless be stipulated in the new legislation that children below 15 years of age could not receive a prison sentence.

66. Around 400 children between the ages of 12 and 18 had already been selected for placement in the rehabilitation and support services on Hope Island. Although the facility would be managed by the Department of Juvenile Justice, staff at the site would include members of the police and armed forces. Children accommodated there would participate in a rehabilitation programme that would include activities such as training in values, formal education, skills development, sport and physical exercise, and personalized psychosocial support. They would be continually assessed throughout the programme, and children deemed to be ready for reintegration would be returned to the care of their family or a legal guardian. Any children who remained at the facility when they turned 18 would be either allowed to pursue a career of their choosing or sent to join the police force or military. The Government firmly believed that the rehabilitation programme would produce young adults who were ready to become valuable members of those services.

67. With respect to the Committee's other questions on juvenile justice, the Maldives Police Service and the Prosecutor General's Office had applied diversion measures on a total of seven occasions. In four of those cases, the diversion programme had not yet reached its conclusion. No child was currently being punished for a hudud offence, and no legal action had been taken against legal guardians for suspected neglect or abuse of the children under their care. As part of the rehabilitation programme for juvenile offenders, guardians took part in awareness-raising activities and received training on parenting skills.

68. **Ms. Kran** said that she would like to know whether the State party was considering signing the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families and, if so, whether a time frame had been set for ratification.

69. She wished to know what steps would be taken to ensure that the appointment procedure for the Registrar of Associations was both transparent and free from political interference and that the Registrar's decisions were subject to judicial review. It would be helpful to know whether any investigations had been carried out into the human rights violations that had allegedly taken place during protests by migrant workers in 2020. If so, she would welcome further information on their outcomes, including details of any penalties that had been imposed on those found responsible. She wished to know whether the decision to deport some of the protestors on the basis of offences committed under the Maldives Immigration Act had been subject to judicial review and whether any measures had been taken prior to deportation to assess whether the individuals in question had been victims of trafficking in persons or labour exploitation.

70. Lastly, she would like to know whether the risk of psychological harm had been included as one of the exceptional circumstances under which a woman could legally have an abortion after more than 120 days of pregnancy. If so, it would be interesting to know whether the delegation had information on any judicial cases involving women who had terminated a pregnancy for that reason.

71. **Mr. Quezada Cabrera** said that he would like to know when the State party had introduced its rehabilitation programmes for persons deprived of their liberty and how many people had participated in them to date. He would also welcome further information on the community rehabilitation centres that had been opened as part of the implementation of measures aimed at reducing prison overcrowding. The delegation might like to indicate whether the impact of those facilities had been assessed and, if so, whether the initiative was considered to have been a success. Lastly, it would be helpful to know what progress had been made towards implementing the recommendations on the treatment of prisoners that had been issued by the Prisons Audit Commission in 2019.

72. **Mr. Ndiaye** said that he would like to know what measures were taken to support children of suspected jihadists who had been repatriated with their families from countries such as Iraq and the Syrian Arab Republic. He would welcome further information on any steps taken to uphold their rights as victims, including by recognizing their need for protection and rehabilitation and by not obliging them to attend their parents' trials.

73. It would be helpful to know whether, during the development of measures to combat climate change, the State party had held consultations with the people likely to be affected by those actions. He also wished to know whether a plan had been put in place for the widespread use of renewable energy and how many vessels had been apprehended in the act of committing illegal fishing offences in Maldivian waters over the previous three years.

74. **Mr. Santos Pais** said that, while he thanked the delegation for its answers, he remained to be convinced that the State party was taking sufficient steps to ensure full implementation of the Covenant, particularly in the areas of children's rights and judicial independence. He was also quite concerned that religion was being used to restrict the rights and freedoms established in the Covenant. The Ministry of Islamic Affairs wielded considerable power in the State party, and clerks working for the Government publicly defended views that ran counter to State policy on issues such as gender equality. As a result, he anticipated that religious extremism would continue to spread in the State party. He nonetheless hoped that the Government would take the opportunity provided by its dialogue with the Committee to review its positions on certain matters in order to strengthen the protection of human rights in Maldives.

75. **A representative of Maldives** said that he wished to thank the members of the Committee for their constructive engagement in the dialogue. Their contributions would play an instrumental role in guiding his country as it strived to fulfil its obligations under the Covenant. The delegation had taken note of the Committee's concerns, and the Government was committed to taking the necessary measures to address all shortcomings in laws and practices, including in relation to the areas of domestic violence, family law, legal aid, the fight against torture, juvenile justice, freedom of expression and judicial independence. The Government would not shy away from its responsibilities and was resolved to improve the lives of its people by ensuring that their rights were protected and their voices were heard.

The meeting rose at 1 p.m.