



141st Session of the Human Rights Committee

1st – 23rd July 2024

Opening Statement by

H.E. Mr. Ahmed Usham

Attorney General of the Republic of Maldives

Head of Delegation at the Review of Maldives' Second Periodic Report

9th July 2024

بِسْمِ اللّٰهِ الرَّحْمٰنِ الرَّحِیْمِ

Madam Chairperson, Distinguished Members of the Human Rights Committee,
Ladies and Gentlemen,

Assalaam Alaikum,

It is my pleasure to convey warm greetings on behalf of the Government of the Republic of Maldives, to the esteemed members of the Human Rights Committee. Today's interactive dialogue with the Human Rights Committee is particularly special for the Government of Maldives. This marks the first time President Dr. Mohamed Muizzu's administration is interacting with a UN treaty body since this administration assumed office in November last year.

Given the significance of ICCPR, we look forward to engaging in a constructive dialogue with the Committee and receive recommendations to further strengthen the efforts of the Government.

The Maldivian Story on protection of human rights and fundamental freedoms is a true reflection of the determination and perseverance of the Maldivian people.

On behalf of the Government, let me at the very beginning of this Review, convey our steadfast commitment to safeguarding and defending civil and political rights, in line with our obligations under ICCPR.

The Government of Maldives acknowledges the Committee's constructive engagement with the Government through the Concluding Observations and the List of Issues Prior to Reporting and we also welcome all stakeholder reports submitted for this cycle.

Madam Chair,

It fills me with great pride to lead our delegation today. Please allow me to introduce them:

- His Excellency Mr. Ali Ihusaan, Minister of Homeland Security and Technology;
- Her Excellency Dr. Salma Rasheed, Permanent Representative of the Republic of the Maldives to the United Nations Office at Geneva;
- His Excellency Mr. Ahmed Hisham Wajeeh, Minister at the President's Office for Legal Affairs;
- His Excellency Mr. Abdulla Nazim Ibrahim, Principal Secretary to the President on Public Policy;

- Ms. Aishath Rizna, Chief Judicial Administrator;
- Mr. Ahmed Shiaan, Secretary Multilateral, Ministry of Foreign Affairs;

and senior officials from the Government of Maldives.

Madam Chair,

The Maldives Second Periodic Report captures a decade of progress from July 2012 to February 2022. We have to bear in mind the political instability that seized Maldives during this period, which resulted in multiple changes to the Maldivian governance system, legislative framework and policy formulation.

With the enactment of the Constitution of the Republic of Maldives in 2008, Maldives adopted a multi-party democracy, establishing a clear separation of powers among the three branches of the State. Although we have made remarkable strides in democracy consolidation, to an extent, our well-intended efforts were hindered due to the political instability of the past 15 years. That said, our resolute commitment to establishing a full-fledged democratic system was recently demonstrated in the successful conclusion of the Presidential Elections of 2023 and the Parliamentary Elections of 2024.

Following a landslide victory, President Dr. Muizzu took the Oath of Office of the President of the Republic of Maldives on 17th November 2023, with a vow to strike a balance between structural and human development. This administration's vision towards instilling morals, religious values and skills in the youth are expected to foster greater respect for human rights in the country. The current administration's determination to uphold the rule of law and supremacy of the Constitution by ensuring zero interference in the judiciary, will help

solidify a system of checks and balances, crucial to ensuring accountability and protecting individual rights.

Under President Dr. Muizzu's leadership, Government successfully completed 95.6% of the actions of the "14 Week Roadmap". We will delve further into the work done during this period throughout this review.

President Dr. Muizzu's Manifesto is currently being translated into the Government's Strategic Action Plan, which will shape the overall development direction and milestones for the next five years. A lite version of SAP is expected to be delivered by the end of this month.

The Government firmly believes that comprehensive national development planning is crucial for sustained growth and prosperity of a nation. In view of this, the Government is working on a 20-year National Development Plan, with a vision of transforming the Maldives into a progressive, vibrant, inclusive and just society.

Madam Chair,

As we move forward with today's discussion, it will be particularly important to understand that Maldives was faced with a number of challenges during this reporting period. The global COVID-19 pandemic, its collateral consequences, compounded by the current fiscal adversities inherited by the current administration is severely threatening the Government's ability to impact meaningful reform. We have been compelled to implement strict and comprehensive fiscal structural reforms.

This denotes that, while we are fully committed to implementing the recommendations of this Committee, certain actions, as we will further delve into during this review, may take more time to be successfully executed, than initially expected.

Government intends to engage with the Committee with utmost transparency and honesty, acknowledging our resource constraints and other challenges, and presenting our plans on a way forward. Having said that, the Government's vision for development and progress can only be attained, when the country is able to recover from the financial abyss.

Furthermore, since it has only been seven months since this administration took office, policies in certain sectors have yet to be developed into actions. We hope that this engagement, will help us formulate inclusive and rights-oriented policies.

Madam Chair,

Our meaningful engagement in the international community saw us successfully compete for high posts in the international arena, including the Presidency of the UN General Assembly, Chair of the Board of Governors of the IMF and World Bank, the Human Rights Council and the Subcommittee on the Prevention of Torture. We re-joined the Commonwealth and committed to the values in the Commonwealth Charter.

During this reporting period, Maldives also acceded to the Optional Protocol to ICCPR, and ratified the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights, Optional Protocol to the Convention on

the Rights of the Child on a communications procedure, and most significantly, ratified the International Convention for the Protection of All Persons from Enforced Disappearance. In February 2020, Maldives successfully withdrew reservations to paragraphs 1 (b), (e), (g) and (h), and paragraph 2 of Article 16 of the CEDAW.

Madam Chair,

On the first day of Government, the President established the “Office for Civil Rights” with a mandate to addressing complaints from individuals on issues of discrimination and violation of civil and political rights, and to engage with civil society organisations in promoting these rights. To date, 51 complaints have been submitted and 18 complaints have been resolved by the Office.

As the Committee has been previously informed, the outgoing administration had established Presidential Commissions on Corruption and Asset Recovery, and on Deaths and Disappearances and an Ombudspersons Office for Transitional Justice.

Regrettably, when this administration took office, we found that these mechanisms had not yielded the results the Maldivian people had hoped for. While the Government is currently reviewing the work done by these mechanisms, Government’s main policy is to empower existing institutions, which were created by the Constitution, so that justice may be delivered without duplicating resources.

Madam Chair,

Since the submission of the report in 2022, Maldives has undertaken many legislative measures to enhance the protection of civil and political rights. These include the enactment of a new Associations Act, an Industrial Relations Act, and an Occupational Safety and Health Act.

Furthermore, a number of amendments have been brought to electoral laws, which has ensured the impartiality of the elections processes, and enabled visually impaired voters to vote independently.

In the legal and justice sphere, the Evidence Act adopted in 2022, replaces the outdated law in place since 1976. An amendment was also introduced to the Judicature Act, preventing courts from initiating *suo motu* cases in an effort to inhibit judicial overreach.

Going forward, the Government has now formulated its Legislative Agenda for these 5 years, with a total of 213 bills identified.

Madam Chair,

Affording adequate housing and improving access to health are key pledges of the Government. Our goal is to ensure that no person is left behind when it comes to health, education, income, compassion and overall fulfilment in life.

Mental health is a primary focus of the Government with plans to introduce a Bill on Mental Health and establish a specialised mental health hospital.

Allowance for persons with disabilities have been increased by 250% and plans are underway to compile a register of people with disabilities, enlist community therapists, and build a state-of-the-art disability centre.

As for the elderly, a dedicated registry will be compiled, and special social centres are being established.

Madam Chair,

The Gender Equality Act marks a significant milestone in our efforts to combat gender-based discrimination. Although challenges persist in the implementation of the Act, gender equality remains a crucial priority of national development, and has been solidified through the adoption of a Gender Equality Action Plan.

As a first temporary special measure, Government introduced a 33% quota for women on local council seats and empowered Women's Development Committees. Under the "14 Week Roadmap", Government has introduced a start-up loan scheme of 100 million Maldivian Rufiyaa dedicated for women, 25% of which has been reserved for women with disabilities.

While judiciary's efforts towards increasing women judges have been successful, Government acknowledges that additional efforts are required to improve women leadership in the Cabinet and Parliament.

Access to justice is a dire obstacle hindering women's development. The Government is fully committed to removing the barriers faced by women within the legal system, especially in matters of family law. A major reform effort, to this end, is underway.

Significant progress has been made throughout the reporting period to tackle the prevalence of gender-based violence and domestic violence within Maldivian communities, such as the launching of a national campaign. New policies have been implemented to improve victims' access to mental health and legal aid services.

Madam Chair,

Children embody hope, potential, and progress of a country. During this reporting period, Maldives enacted the Child Rights Protection Act and the Juvenile Justice Act, bringing transformative changes to the entire child protection system in Maldives.

Government is pleased to inform that, with the prohibition of death penalty for minors under these Acts, all death sentences handed to minors have been commuted in line with the law.

Under the "14 Week Roadmap" Government has begun the "Ufaavehi" programme, aiming to provide a family for each child under State care. Furthermore, a roadmap for the full implementation of the Juvenile Justice Act is being implemented.

Government assures the Committee that any actions taken by the Government to prevent children offending the law, and rehabilitating children at risk of offending, will be executed in a manner that children under the age of 15 years will not be subjected to incarceration.

Madam Chair,

The contribution of migrant workers has become an integral aspect of our social and economic landscape. Ensuring their dignity, rights, and well-being in the face of exploitation and abuse, is a matter Government is committed to with utmost seriousness.

This Government will continue the regularisation programme initiated in early 2019, to provide a pathway for undocumented workers to register within the system and transition to legal work.

Recently, the Government has fortified its efforts towards preventing human trafficking. The Anti-Human Trafficking Act has been aligned with the UN TIP Protocol and an Anti-TIP Office has been established, which will carry out activities to enhance prevention, protection, prosecution, and partnerships in combating human trafficking.

Madam Chair,

Guaranteeing fundamental legal safeguards of all detained persons is paramount in ensuring due process and protecting fair trial rights.

Government enacted a new Maldives Police Service Act in 2020, introducing several much-needed reforms to the governance of police service, with a focus on human-rights centred policing.

In relation to legal aid, Government is working on a Legal Aid Bill, which will be submitted to the Parliament within a year.

Madam Chair,

Despite the enactment of a modern Prisons and Parole Act, multiple issues in relation to prisons have persisted over the years.

However, even with budgetary restrictions and practical challenges, several efforts have been directed towards reducing overcrowding, addressing pre-trial detention, and improving the material condition of prisons. While multiple additional units have been built and more are underway, Government plans to build a single prison complex to tackle these issues.

As additional measures to address the issue of overcrowding, Government will work on ensuring proper rehabilitation, inhibiting reoffending and implementing non-custodial measures.

A legislative amendment to the Criminal Procedure Act has also been submitted to the Parliament, to overhaul the bail system of Maldives.

Madam Chair,

Judicial reform has been prioritized, with measures taken to inhibit judicial overreach and enhance accountability. Internal court management was strengthened through empowering the Department of Judicial Administration.

Government's policies towards the justice sector include enhancing access to justice in the atolls, establishing a small claims court and addressing the space constraints faced by the judiciary.

Reforming the composition of the Judicial Service Commission is a pledge this Government will follow through.

Madam Chair,

Countering terrorism and violent extremism is a global challenge that requires a concerted effort from all nations. Recently, Maldives increased its efforts by formulating a National Terrorism Response Plan and adopting a National Action Plan on Preventing and Countering Violent Extremism. A National Reintegration Centre has also been established, and Government is committed to repatriate, rehabilitate and reintegrate Maldivian nationals from conflict zones.

Madam Chair,

The Maldivian Story of human rights protection is incomplete without acknowledgement of our civil society organisations, human rights defenders and journalists. It is their resilience, fearlessness and courage that ensures accountability of governments.

Government will not tolerate any form of hate speech or incitement of violence against civil society organisations or affiliated individuals. Hate speech has been criminalised under the Penal Code of the Maldives, and any reports of threats and harassment will be thoroughly investigated by law enforcement.

The Government is committed to ensuring the right to freedom of expression to the maximum as allowed within the ambit of the law. Government has plans to enact laws on freedom of press and freedom of expression, which will be formulated through a consultative process.

Madam Chair, Members of the Human Rights Committee,

Islam is vital to the Maldivian identity. It is an uncompromisable tenet of our society. Maldives is fully committed to executing our obligations under all international human rights instruments that we are party to, in a manner that does not contradict our Constitution.

The road to our progress has not been smooth. The challenges brought about by the COVID-19 pandemic, together with fiscal adversities impedes expedited realisation of the Government's commitments. However, as we re-strategize and work relentlessly towards a better Maldives, we look to our partners for understanding and support.

I look forward to engaging in a productive dialogue with the Committee today and tomorrow, and seek recommendations to further bolster the Government's efforts in safeguarding ICCPR rights in the Maldives.

I thank you.
