

ADVANCE QUESTIONS TO MALDIVES – Add.1

CZECH REPUBLIC

- While welcoming a declaration of *de facto* moratorium on death penalty the Czech Republic would like to ask whether the Government of Maldives considers acceding to the Second Optional Protocol to the Covenant on Civil and Political Rights and passing legislation aiming at abolishing the death penalty.

DENMARK

- Has the Maldives taken steps to abolish all forms of corporal punishment, including domestically?
- What steps has the Maldives taken to ensure adequate safeguards to prevent torture and ill-treatment and to ensure that all allegations of ill-treatment be fully investigated through competent, independent and impartial authorities?

NETHERLANDS

- **Independence of judiciary**

The national report states that the judicial sector faces a number of challenges in the Maldives. In light of the shortcomings of the judicial system that were found by the Special Rapporteur on the independence of judges and lawyers and which have been summed up in paragraph 29 of the OHCHR compilation, what concrete measures did the Government of the Maldives take to ensure a more independent and transparent judiciary and bar? What has the Government been able to do in the field of training of judges in order to remedy the lack of legal professionals and knowledge of human rights concepts, as has been implied in paragraph 84 of the national report and paragraph 23 and 24 of the stakeholder report?

- **Freedom of association**

In light of the remarks in paragraph 31 and paragraph 103 of the national report on the consideration by the Government of the Maldives on the ratification of the eight core ILO Conventions, and in reference to paragraph 46. of the OHCHR compilation and paragraph 29 of the stakeholder report on the absence of the right to form trade unions and to collective bargaining, does the Government of the Maldives intend to ratify the ILO's eight core Conventions, including the Convention No. 87 concerning the Freedom of Association and the Protection of the Right to Organize, and Convention No. 98 concerning the Application of the Principles on the Right to Organize and to Bargain Collectively?

- **Freedom of religion**

In light of the fact that Islam has been enshrined in the 2008 Constitution as the official religion of the Maldives, what has the Government of the Maldives done in order to prevent discrimination on religious grounds?

- **Rights of children**

With reference to paragraph 22 of the OHCHR compilation on the problems of violence against children, child abuse, including sexual abuse, and ill-treatment, and the alleged failure of the legal framework to provide full protection against sexual abuse that is mentioned in this paragraph as well as in paragraph 14 of the stakeholder report, what measures have been taken to guarantee the rights of children, to protect them from abuse, including sexual abuse, and to ensure enforcement of adequate sentences against offenders?

- **Women's rights**

With a view of elimination the de facto discrimination of women, which according to paragraph 39 of the national report still exists, and in reference to paragraph 16, 25, 45 and 56 of the OHCHR compilation which deal with the subordinate and subservient role of women and girls, violence against women and girls, and their unequal access to employment and education, what concrete measures have been taken to eliminate discrimination against women, and to ensure their equal rights in the education system, employment sector, and criminal courts?

NORWAY

- The Republic of Maldives writes in its national report that civil society was represented in the UPR Standing Committee under the Chairmanship of the Minister of Foreign Affairs. Norway would be grateful if Maldives could elaborate further on the contribution of civil society in the UPR preparations, and provide information on the role civil society will play in the follow-up of the UPR.
- Noting that the Islamic faith is a prerequisite for citizenship, how does the Republic of Maldives ensure that people are allowed the right to express their faith freely?
- Please elaborate on the Republic of the Maldives' position on lesbian, gay, bisexual and transgender rights. Concretely, how do Maldives work to ensure further inclusion? How are the challenges of intolerance and violence against these vulnerable groups addressed?
- Please explain what measures are being taken to protect the rights of migrant workers. Which actions will be taken against those who systematically abuse them?

SLOVENIA

- Would the Government of the Maldives consider reviewing legislation in general in order to make sure that all legislative barriers to gender equality, not only at the constitutional level, are abolished?
- We would like to ask the delegation to explain whether the Government of the Maldives has already considered withdrawing the reservation to article 18 of the ICCPR.

SWEDEN

- The freedom of religion or belief is an established norm of international customary law on human rights. At the same time, the Maldives have entered a reservation against article 18 of the International Covenant on Civil and Political Rights, on freedom of thought, conscience and religion or belief. The Special Rapporteur on freedom of religion or belief has expressed concern at limitations of freedom of religion as well as discrimination on the basis of religion in the Maldives, including through the provision that citizenship can only be conferred to Muslims. The Rapporteur has, inter alia, encouraged the Parliament of the Maldives to include protection of the right to freedom of religion or belief in the Constitution. Sweden shares the concerns of the Special Rapporteur.

Could the Government of the Maldives elaborate on measures it is taking to ensure the the full enjoyment of freedom of religion or belief as established in the Universal Declaration of Human Rights, as well as the International Covenant on Civil and Political Rights, which the Republic of Maldives has ratified? Could the government further elaborate on what measures are being taken to ensure non-discrimination and equal rights for citizens and other persons within the jurisdiction of the Maldives of different religious beliefs?

- In its latest consideration of the Maldives in 2007, the Committee on the Elimination of Discrimination against Women (CEDAW) expressed deep concern about the prevalence of violence against women and girls, including domestic violence. Moreover, CEDAW indicated that the number of cases of violence against women reported to law enforcement is very low. Thus, CEDAW has urged Maldives to give priority attention and adopt comprehensive measures to address all forms of violence against women and girls, and to enact legislation on domestic violence and on all forms of sexual abuse, including sexual harassment. CEDAW also urged the Republic of Maldives to include in its Constitution or in a draft legislation, a definition of discrimination against women, encompassing direct and indirect discrimination, and adequate sanctions for acts of discrimination against women and to ensure effective remedies. In parallel, non-governmental organizations have stated that women in the Republic of Maldives face institutionalized discrimination and marginalization in terms of access to higher education and employment. Finally, CEDAW has urged Maldives to give priority attention and adopt comprehensive measures to address all forms of violence against women and girls, and to enact legislation on domestic violence and on all forms of sexual abuse, including sexual harassment.

Could the Republic of Maldives elaborate on the measures it is taking to eliminate violence and discrimination against women?
