

Responses to Recommendations

MALDIVES

Review in the Working Group: 3 November 2010
 Adoption in the Plenary: 16 March 2011

Maldives's responses to recommendations (as of 07.07.2011):

In the Report of the Working Group:	In the Addendum:	During the plenary:	Summary:
No response, all pending	Out of the 134 pending ¹ , 96 are accepted, 4 partially accepted (underlined in blue), 29 rejected, 1 commented with no clear position and 4 taken note of (-> pending)	No additional information provided	Accepted: 100 Rejected: 29 No clear position: 1 Pending: 4

List of recommendations contained in Section II of the Report of the Working Group A/HRC/16/7:

100. The following recommendations will be examined by Maldives, which will provide responses in due course, but no later than the 16th session of the Human Rights Council, in March 2011. The response of Maldives to these recommendations will be included in the outcome report adopted by the Council at its 16th session, in March 2011:

- A - 100.1. Consider acceding to ICRMW (Bosnia and Herzegovina);
- A - 100.2. Accelerate the process of the ratification of ICRMW (Algeria);
- A - 100.3. Consider the ratification of ICRMW and the Protocol to prevent, suppress and punish trafficking in persons, especially women and children (Philippines);
- A - 100.4. Ratify promptly the Optional Protocol to ICESCR and the Optional Protocol to CRPD (Spain);

¹ The total number of recommendations is 134 as 8 were split.

100.5. Sign and/or ratify

R - the [Second Optional Protocol to ICCPR](#);

A - the [Optional Protocol to ICESR](#); [ICRMW](#); the [Optional Protocol to CRPD](#); and the [International Convention for the Protection of All Persons from Enforced Disappearance \(Argentina\)](#);

R - 100.6. [Accede to the Second Optional Protocol to ICCPR, prohibiting the death penalty in all circumstances \(France\)](#);

A - 100.7. [Ratify ICRMW, taking into account national consultations held in this connection \(Mexico\)](#);

A - 100.8. [Ratify ICRMW in order to enhance the full enjoyment of human rights \(Palestine\)](#);

100.9.

A - [Ratify ICRMW](#)

R - [ensuring that the rights to freedom of religion or belief of all migrant workers and members of their families are respected, inter alia \(Ecuador\)](#);

100.10. Consider ratifying

A - [ILO core conventions](#),

R - [the 1951 Refugee Convention and the 1967 Protocol thereto, and the Protocol to prevent, suppress and punish trafficking in persons, especially women and children \(Brazil\)](#);

100.11. Accede to

A - [the Rome Statute of the International Criminal Court](#)

R - [and to the 1951 Refugee Convention and the 1967 Protocol thereto \(Ecuador\)](#);

A - 100.12. [Ratify outstanding core international human rights instruments, and accede to the Rome Statute of the International Criminal Court \(Slovenia\)](#);

A - 100.13. [Ratify the Rome Statute of the International Criminal Court \(Austria\)](#);

R - 100.14. [Consider reviewing and withdrawing reservations to ICCPR and other core human rights instruments, particularly where such reservations work to undermine the commitment to non-discrimination included in these treaties \(Hungary\)](#);

100.15.

A - [Review reservations to CEDAW](#),

R - [ICCPR and CRC with a view to withdrawing or limiting them \(Slovenia\)](#);

100.16.

A - [Continue to cooperate with human rights mechanisms](#)

and to reconsider their reservations to

R - [ICCPR](#),

A - [CEDAW](#)

R - [and CRC \(Palestine\)](#);

100.17. Make further efforts with a view to withdrawing reservations to

A - [CEDAW](#)

R - [ICCPR and CRC \(Brazil\)](#);

R - 100.18. [Withdraw reservations in respect of article 18 of ICCPR \(Austria\)](#);

R - 100.19. [Withdraw reservations to articles 14 and 21 of CRC as well as to article 18 of ICCPR \(Slovakia\)](#);

[A - 100.20. Remove its reservation to article 16 of CEDAW concerning the equality of men and women in all matters relating to marriage and family relations, and adjust its domestic framework accordingly \(Canada\)](#);

100.21. Withdraw reservations to

R - [ICCPR](#),

A - [CEDAW](#)

R - and CRC (Spain);

A - 100.22. Continue legislative reforms aimed at guaranteeing the effective implementation of the rights and obligations contained in international instruments, such as CEDAW, CRC and CAT (Brazil);

A - 100.23. Make additional efforts to ensure that domestic law is brought into line with the provisions of CEDAW, particularly concerning marriage, divorce, inheritance, ensuring equality of rights for both spouses and the adoption of comprehensive measures to combat all forms of violence against women and girls, and the adoption of laws on domestic violence and all forms of sexual abuse (Spain);

A - 100.24. Step up the efforts to adopt the remaining 120 bills that have been identified by the Government as requiring enactment during its term of office in order to implement the changes provided for in the 2008 Constitution (Algeria);

A - 100.25. Complete the legislative framework through the enactment of laws provided for in Constitution to strengthen the legal protection of fundamental rights and freedoms (Qatar);

A - 100.26. Enact the new draft Penal Code pending before Parliament (Austria);

A - 100.27. Enact legislation related to CEDAW, as no corresponding domestic law has so far been enacted (Hungary);

A - 100.28. Strengthen the legal framework for women's rights and its implementation (Norway);

A - 100.29. Amend existing legislation so that evidentiary requirements are made less strict and do not fall disproportionately on the victim, and so that the sentencing of sexual abusers is brought into line with the gravity of the crime committed (Netherlands);

A - 100.30. Adopt and implement draft laws regarding persons with disabilities and concerning mental health, as referred to in the national report, with a view to providing a normative framework to strengthen awareness-raising campaigns on human rights and disability (Mexico);

A - 100.31. Ensure that the Human Rights Commission is made fully compliant with the Paris Principles (India);

A - 100.32. Upgrade the status of the Human Rights Commission of Maldives to "A" status according to the Paris Principles by fully ensuring its independence, including with regard to budgetary allocations (Germany);

A - 100.33. Strengthen the independence of the Human Rights Commission of Maldives and work with it to improve the human rights education of the judiciary and the public (New Zealand);

A - 100.34. Continue its efforts to guarantee human rights and freedoms as enshrined in the Constitution (Bhutan);

A - 100.35. Continue its efforts to further accelerate its ongoing process to promote and protect human rights and freedoms (Sri Lanka);

A - 100.36. Continue its efforts aimed at promoting and protecting all human rights (Palestine);

A - 100.37. Continue its efforts aimed at strengthening and protecting human rights (Saudi Arabia);

R - 100.38. Introduce into the life of the people of Maldives only that which is in keeping with their traditions and customs and their public morals (Chad);

A - 100.39. Adopt and implement an effective legal framework and undertake appropriate public awareness campaigns to eliminate discrimination against women (Slovakia);

A - 100.40. Take effective measures to overcome deep-rooted stereotypes on the role of women and girls (Austria);

A - 100.41. Adopt a more systematic approach to building public awareness about gender equality and the potential contributions that women can make to social and economic development, which would help break down existing barriers faced by women in employment and education, while at the same time ameliorating the incidence of sexual exploitation and violence suffered by women (Trinidad and Tobago);

A - 100.42. Continue to implement a national gender equality policy by strengthening legislation for protection and non-discrimination, as well as equality (Chile);

A - 100.43. Step up efforts to implement the 2009 Gender Mainstreaming Policy with a view to combating the de facto discrimination faced by Maldivians and to explore the possibility of adopting additional measures to combat violence against women in the country (Malaysia);

A - 100.44. Adopt measures to curb discrimination against women and violence against children (Bangladesh);

A - 100.45. Take measures to strengthen women's rights, in particular to encourage greater representation of women in public life and combat sexual and domestic violence (United Kingdom);

A - 100.46. Take concrete steps to increase the representation of women in decision-making bodies (Norway);

A - 100.47. Speed up the implementation of laws enacted regarding the Convention on the Elimination of All Forms of Discrimination against Women, and enact adequate legislation that can put an end to the violence to which they are subjected (Libyan Arab Jamahiriya);¹

A - 100.48. Establish equal rights for all children, regardless of the marriage status of their parents (Bosnia and Herzegovina);

A - 100.49. Make further efforts and take the legislative and administrative measures necessary to eliminate discrimination against persons with disabilities on the ground (Qatar);

R - 100.50. Reconsider the legal status of lesbian, gay, bisexual and transgender people, and consider taking concrete steps to protect them from violence and discrimination (Norway);

R - 100.51. Introduce policies aimed at ending discrimination against individuals on the basis of their gender identity or sexual orientation, and repeal legislation criminalizing homosexuality (Australia);

R - 100.52. Repeal legal provisions which criminalize sexual activity between consenting adults of the same sex (Canada);

R - 100.53. Decriminalize homosexuality and, as a first step, declare a moratorium on the application of penalties (France);

R - 100.54. Take measures to prevent human rights violations based on sexual orientation and gender identity (France);

A - 100.55. Ensure that its new Penal Code is fully consistent with international human rights standards and that it abolishes corporal punishment and the death penalty (United Kingdom);

P - 100.56. Establish a moratorium on State executions with a view to formally abolishing the death penalty, in addition to ratifying the Second Optional Protocol to the International Covenant on Civil and Political Rights (Canada); establish a moratorium on executions with a view to abolishing the death penalty (Slovenia);

P - 100.57. Consider abolishing the death penalty in the context of the moratorium (Chile);/abolish the death penalty (Austria);/abolish definitively the death penalty and ratify the Second Optional Protocol to the International Covenant on Civil and Political Rights (Spain);

NC - 100.58. Take all measures to end the application of cruel, inhuman or degrading penalties such as flogging (France);/abolish criminal penalties that infringe on the physical integrity of convicts, for

example, flogging (Austria) 2;/prohibit the use of public flogging (New Zealand);/abolish corporal punishment, in particular public flogging (Brazil);

A - 100.59. Work towards eliminating all forms of violence against women (Bhutan);

A - 100.60. Take further steps to address issues of violence against women, including to finalize the Women's Right Bill, the Domestic Violence Bill and the Children's Act, as early as possible, and consider withdrawing its reservation to article 16 of CEDAW (Timor-Leste);

A - 100.61. Take all measures necessary to ensure the elimination of violence and discrimination against women, and review its reservation to the Convention on the Elimination of All Forms of Discrimination against Women with a view to withdrawing it (Sweden);

A - 100.62. Give priority to addressing all forms of violence against women and girls, inter alia, by providing redress and protection services to victims of such crimes (Norway);

A - 100.63. Establish additional mechanisms for protecting citizens against domestic violence, and adopt the provisions that would ensure legal redress for gender-based violence. Important steps in this regard include the expeditious passage of legislation to promote women's rights, prohibit sexual harassment and criminalize domestic violence (United States);

A - 100.64. Ensure that its draft Domestic Violence Bill addresses the investigation, prosecution and punishment of perpetrators of violence against women, and that it is implemented as a priority (New Zealand);

A - 100.65. Intensify awareness-raising and educational campaigns to combat violence against women, and adopt measures to improve women's participation in the decision-making process (Algeria);

A - 100.66. Continue the commendable public campaigns against violence against women and children, and ensure the swift adoption and implementation of the new Bill on Domestic Violence (Austria);

A - 100.67. Continue to improve efforts to combat gender-based violence, and establish a mechanism for protecting abused women (Indonesia);

A - 100.68. Take measures to eradicate traditional stereotypes of women, especially through educational programmes, and enact legislation on domestic violence and all forms of sexual abuse (Netherlands);

A - 100.69. Continue its measures to tackle the problem of violence against women, including domestic violence (Azerbaijan);

A - 100.70. Prioritize legislation on women's rights, sexual harassment, domestic violence and the protection of children against abuse (Australia);

A - 100.71. Consolidate the achievements made, particularly through gender mainstreaming in all fields; grant autonomy to women; and face challenges arising in this regard, particularly the fight against violence against women (Morocco);

A - 100.72. Adopt and implement the draft law on domestic violence referred to in the national report, taking into account the recommendation of the Committee on the Rights of the Child concerning the incorporation of the Convention on the Elimination of All Forms of Discrimination against Women into domestic law (Mexico);

A - 100.73. Increase efforts to address the serious problem of violence against children, including by ensuring full legal protection against the sexual abuse of children (Norway);

A - 100.74. Continue efforts to prevent violence and sexual abuse against boys and girls, and increase its efforts to bring to justice those responsible (Argentina);

A - 100.75. Continue ensuring the promotion and protection of the human rights of children in the country, including through the establishment of appropriate programmes and measures aimed at combating the spread of a culture of violence among Maldivian youth and children (Malaysia);

A - 100.76. Take further measures to strengthen child rights and the child protection system, in particular to prevent sexual and physical abuse, to tackle underage marriage/concubinage and to ensure that children under 18 years are not punished as adults in the judicial system (United Kingdom);

A - 100.77. Enact legislation to criminalize trafficking of persons, and put in place procedures to deal with those people vulnerable to exploitation and trafficking (Indonesia);

A - 100.78. Take effective measures to combat human trafficking, including the adoption of relevant laws (Azerbaijan);

A - 100.79. Implement the United Nations Basic Principles on the Independence of the Judiciary and the Role of Lawyers (New Zealand);

A - 100.80. Continue its efforts to further strengthen the judiciary (Azerbaijan);

A - 100.81. Take concerted steps to build a strong and independent judiciary (United Kingdom);

A - 100.82. Develop a professional code of conduct for judges, and actively support the establishment of an independent bar association (Netherlands);

A - 100.83. Allocate additional resources to provide human rights training for judges in order to enhance their current knowledge of human rights principles (Netherlands);

A - 100.84. Continue efforts aimed at improving access to continuing education and training in the area of human rights for judicial and legal officers, including through bilateral and other engagement with partners, in the light of the expressed need for greater capacity-building and technical assistance in key areas of governance (Malaysia);

A - 100.85. Expedite efforts to enact a Juvenile Justice Act in compliance with the Convention on the Rights of the Child (Ghana);

A - 100.86. Ensure that children in conflict with the law have access to education (Ghana);³

A - 100.87. Strengthen the role of the family in order to protect children from drugs and sexual exploitation, and reduce juvenile delinquency (Qatar);

R - 100.88. Ensure the right to freedom of religion or belief (Brazil);

R - 100.89. Include constitutional measures to provide for freedom of religion or belief to all persons residing in the country (United States);

R - 100.90. Amend its legislation to enable the enjoyment and practice of freedom of religion or belief for both citizens and foreigners living in the country (Ghana);

A - 100.91. Take concrete steps to encourage and facilitate open and public debate on religious issues (Norway);

R - 100.92. Take all measures necessary to ensure full respect for freedom of religion or belief and freedom from discrimination on the basis of religion, including by way of allowing non-Muslims to become citizens and withdrawing its reservation to article 18 of ICCPR (Sweden);

A - 100.93. Take all measures necessary to ensure full respect for freedom of expression and to guarantee that journalists can practice their profession freely (France);

R - 100.94. Ensure that all people, including migrants, are allowed to practice their religion or belief freely, including by enacting legislation that explicitly protects the right to freedom of religion or belief (Norway);

R - 100.95. Remove legislation which discriminates against individuals on the basis of their religion or belief (Australia);

R - 100.96. Consider appropriate measures to eliminate discrimination against religious minorities in accordance with international standards (Slovakia);

R - 100.97. Take legislative and practical measures with a view to the realization of the right to freedom of religion and belief (Austria);

R - 100.98. Enact legislation that also allows non-Muslims to acquire Maldivian citizenship (Austria);

R - 100.99. Enact legislation to ensure that all persons may freely exercise their religion in public and build places of worship (Austria);

P - 100.100. Examine the possibility of decriminalizing apostasy and blasphemy (Argentina);⁴

R - 100.101. Make the necessary amendments to legislation in order to ensure that communities of all faiths and religions have an equal place in a democratic society (Indonesia);

P - 100.102. Decriminalize apostasy (Austria);

A - 100.103. Create an environment of freedom of the media, and encourage media to project positive images of women and of the equal status and responsibilities of women and men in the private and public spheres (Slovenia);

A - 100.104. Implement legislation, as required under the Convention on the Elimination of All Forms of Discrimination against Women, to end discrimination against women and harassment in the workplace (New Zealand);

A - 100.105. Continue to effectively implement pro-poor growth and employment creation strategies (Indonesia);

A - 100.106. Increase steps to improve the participation of women in the labour market and in leadership and governance positions in the public and private sectors (Philippines);

A - 100.107. Draft and enact legislation prohibiting and punishing all forms of trafficking in persons, including the forced labour of migrants. Promulgate laws imposing stricter punishments for violations, and hold employers who violate laws accountable and establish a national minimum wage (United States);

A - 100.108. Put in place specific programmes to improve the employment situation, in particular for young people (Algeria);

A - 100.109. Take swift and efficient action to mitigate the adverse effects of the rising cost of housing in Malé through various measures, such as social benefits or microfinance schemes, in order to enhance the enjoyment of the right to adequate housing (Finland);

A - 100.110. Further develop and enhance education (Saudi Arabia);

A - 100.111. Continue the policy of free education for all children, through cooperation and assistance from the international community (Bhutan);

A - 100.112. Continue to apply programmes and measures to guarantee the enjoyment of the right to education and the right to health (Cuba);

A - 100.113. Intensify efforts in improving access to education for students from low-income families (Slovakia);

A - 100.114. Elaborate a strategy for creating more openness and tolerance in the general public for migrants and their rights (Norway);

A - 100.115. Cooperate with other countries that have large communities of migrant workers to find a solution in accordance with international human rights standards (Hungary);

A - 100.116. Continue its efforts to implement its development programmes (Bangladesh);

A - 100.117. Continue to allocate resources for effective poverty reduction measures (Ghana);

A - 100.118. Continue to apply strategies and development plans at the socioeconomic level throughout the country (Cuba);

A - 100.119. Continue its legislative, institutional and socio-economic reforms to provide an effective framework to address gender mainstreaming, violence against women, religious intolerance, particularly with regard to citizenship, freedom of speech, and human trafficking, and focus on the very key question of achieving the targets of the Millennium Development Goals, which will comprehensively address the key question of human rights (Nigeria);

A - 100.120. Give further consideration to enacting legislation and formulating national action plans with concrete goals: to prevent the economic exploitation of and hazardous work by children; and to combat drug abuse, human trafficking and the sexual exploitation of women and children (Japan);

A - 100.121. Seek the support of the Office of the United Nations High Commissioner for Human Rights and the international community in the key areas listed in the report for which capacity-building is required (Jamaica);

A - 100.122. Seek the assistance and necessary expertise of United Nations specialized agencies in building and strengthening institutions to rehabilitate those engaged in drug-related crimes (Qatar);

A - 100.123. Continue to develop and implement its adaptation strategies with assistance from the international community (Bangladesh);

A - 100.124. Take all measures for the purpose of post-disaster reconstruction and adaptation to climate change, with a human-rights-based approach, and carry out consultations with the concerned local communities, giving special attention to women, children and persons with disabilities in this process (Finland);

A - 100.125. Continue consultations with civil society in the follow-up to the review (Austria);

A - 100.126. Give a yearly briefing to the Human Rights Council on the follow-up to the recommendations of this universal periodic review session as a voluntary measure (Hungary).

Notes

1 The recommendation as made during the interactive dialogue was “Eliminate any constitutional obstacles which prevent women from holding high offices, and speed up the execution of laws enacted on the Convention on the Elimination of Discrimination against Women, and enact adequate legislation that can put an end to violence they are subjected to (Libyan Arab Jamahiriya).

2 The recommendation as made during the interactive dialogue was “Abolish criminal penalties that infringe on the physical integrity of convicts, for example, amputation and flogging (Austria).

3 The recommendation as made during the interactive dialogue was “Raise the minimum age of criminal responsibility to at least 12 years, and ensure that children in conflict with the law have access to education (Ghana)”.

4 The recommendation as made during the interactive dialogue was “Examine the possibility of repealing the provisions of the Criminal Code, which criminalize apostasy and blasphemy (Argentina).

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