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MALDIVES - STATUS OF SELECTED RECOMMENDATIONS MADE TO THE GOVERNMENT OF MALDIVES

Updated information and suggested recommendations for
the 36th Session of the Working Group for the UPR

based on Stakeholder Submissions made jointly by
Maldivina Democracy Network (MDN) and the
International Federation for Human Rights (FIDH),
&

CIVICUS and the Asian Forum for Human Rights and
Development (Forum-Asia)



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EXECUTIVE SUMMARY	03
THEMATIC AREAS	03
THE CRIMINAL JUSTICE SYSTEM	03
INTERNATIONAL OBLIGATIONS	03
THE RIGHTS OF THE CHILD, GIRLS AND WOMEN	04
TRAFFICKING IN PERSONS	04
Evaluation of status of implementation of recommendations made to the Maldives during the Third Cycle of the UPR	05
01. Freedom of Association remains strictly government-controlled.	05
02. Human Rights Defenders remain at-risk.	06
03. Freedom of expression and independence of media continue to be stifled.	06
04. Freedom of peaceful assembly unchanged and noncompliant with obligations.	08
05. Discrimination against women and girls exacerbated by religious extremism.	08
06. Violence against women and gender stereotypes remain unchanged.	09
07. Migrant workers facing severe violations of their human rights.	10
08. Accountability for past atrocities excluded from the proposed legislation.	11
09. Conditions of torture and detention conditions lack improvement.	12
10. Extrajudicial killings and the forced disappearance of Ahmed Rilwan	13
11. The death penalty	14
12. Religious and sexual minorities.	15

EXECUTIVE SUMMARY

THEMATIC AREAS

The Universal Periodic Review first assessed the Maldives' human rights situation in November 2010. During the second cycle, Maldives was reviewed on 6 May 2015. The UPR is set to review the country on 4 November 2020. This document contains a brief review of human rights related recommendations made by States during the Maldives review in 2015. After a period of anti-democratic trajectory from 2012 onwards, a new government was voted in November 2018 with an overwhelming mandate to strengthen and consolidate the State's democratic systems.

THE CRIMINAL JUSTICE SYSTEM

The country is embarking on a renewed process of reforms to the judicial and legal systems. Since introducing democratic reforms in 2008, stringent laws, regulations and policies have continued. Independence of the judiciary by equipping legal and judicial actors with internationally-recognised best practices was also recommended during the Maldives' review.

Two critical recommendations identified for achieving judicial independence are maintaining the impartiality of the Judicial Service Commission and holding court proceedings with due process guarantees in line with Article 14 of the ICCPR.

Many recommendations concerning the Maldives' criminal justice system centred on punishments that do not meet international standards. Since the previous government took active steps to resume executions from 2014 to 2018, States echoed the need to abolish the death penalty "definitively" by Maldivian law.

The practice of judicial flogging for sexual relations, which disproportionately impact women, was also raised by States as punishments that "infringe" human dignity and "physical integrity" of individuals.

Recommendations also raised alarms over the rights of religious and sexual minorities, urging the country to adopt measures to provide legal protection and recognition for minority groups. It is worth noting that during the UPR, Muslim-majority states also called on the Maldives to respect freedom of and from religion, creating an equal democratic space for all communities.

Other recommendations addressed the need to increase protections for civil society actors, human rights activists, journalists and lawyers at-risk of political violence, by enacting laws, policies and other mechanisms that combat the root causes.

INTERNATIONAL OBLIGATIONS

States emphasised the need for the HRCM to be elevated to the status outlined under the Paris Principles.

The State of Maldives has yet to ratify the Optional Protocols to CRC, CRPD; the Second Optional Protocol of the ICCPR; the 1951 Refugee Convention and its 1967 protocol; and the ICRMW. States urged the Maldives to rescind reservations to Article 18 of the ICCPR, Article 16 of CEDAW, and Articles 14 and 21 of the CRC.

The Maldivian president ratified two human rights treaties in June 2020, namely the Optional Protocol to ESCR and the International Convention on the Protection of All Persons from Enforced Disappearance.

Another shortcoming for the country was the slow progress in reflecting treaties and conventions in Maldivian law, by enacting provisions under the CEDAW, CRC, ESCR, and CAT. Since the last cycle of the UPR, the country has passed legislation in that regard on Sexual Harassment, Domestic Violence, Juvenile Justice and Child Protection.

THE RIGHTS OF THE CHILD, GIRLS AND WOMEN

There were significant concerns raised regarding the situation of children and women. The rights of the child, the girl child, in particular, continue to fall short. Multiple states recommended increasing women's role in decision-making and peace-building through greater access to political visibility and participation. More excellent representation of women in leadership roles could help combat many gender-based issues the country is facing today.

States called for further measures to strengthen child rights and the child protection system aiming to prevent sexual abuse and violence, including child marriage and child sexual abuse.

Significantly, children's access to education was stressed by several states, urging that "children in conflict with the law have access to education."

TRAFFICKING IN PERSONS

The COVID-19 pandemic has laid bare the inhumane conditions subjected to migrant workers in the Maldives. Scores of migrant workers of Bangladeshi, Nepali and Indian descent were arbitrarily deported for protesting unpaid forced labour since March 2020.

Despite enacting legislation on preventing human trafficking in 2010, the country is failing to monitor and detect perpetrators systematically, frequently victimising survivors of trafficking through criminal procedures and immigration detention.

Promulgation of laws imposing stricter penalties for fraudulent recruitment and employment law violations, and holding employers accountable for violations, were recommended as solutions. States also urged the Maldives to introduce a national minimum wage, which was introduced in February 2020 but is not in effect as of yet.

Evaluation of status of implementation of recommendations made to the Maldives during the Third Cycle of the UPR

1. Freedom of Association remains strictly government-controlled.

1.1. In December 2019 the Government of Maldives for the first time in its history arbitrarily shut down a leading human rights group operating in the country since 2004. It confiscated all funds from the Maldivian Democracy Network (MDN) based on politically-motivated blasphemy allegations. All communications from MDN to the Government, requesting clarification on the points of law and a stay order on the decision to shut down, remain unanswered.

1.2. The Associations Act predates the Constitution of Maldives and therefore does not comply with the ICCPR. While the law remains the same, internal processes at the parental governmental authority, the Ministry of Youth, Sports and Community Empowerment has placed overly controlling requirements for those exercising the right to freedom of association. These include mandatory registration, requirement of permission before seeking external assistance, government-designed templates for statutes of organisations, mandatory inclusion on what the purpose and objectives of an organisation can be and a mandatory requirement to have members of the executive committee (also required) to be approved and registered at the ministry, in addition to clearance from the President's Office before an association is allowed registration.

1.3. The UNDP in the Maldives presented a draft of a revised Associations Bill that the civil society accepted. The bill, initially sent to the Parliament was withdrawn and currently has been subject to several undemocratic amendments made by the Government of Maldives. The modifications were made without civil society consultation.

1.4. No changes have been made to the law on Associations according to recommendations made at the Third Cycle of the UPR.

1.5. Suggested Recommendations:

- Pass the Associations Bill as drafted by the UNDP Maldives without further amendments and amend the Regulation on Associations accordingly.
- Remove all undue restrictions on the ability of CSOs to receive international and domestic funding, in line with the best practices articulated by the UN Special Rapporteur on the rights to peaceful assembly and association and relevant UN Human Rights Council resolutions (A/HRC/RES/32/31).
- Reinstate the registration of MDN, resume due process and apply proportionate penalties while refraining from the closure or suspension of their peaceful and legitimate activities.
- Take measures to foster a safe and enabling environment for civil society, including by removing legal

and policy measures that unwarrantedly limit the freedom of association.

- Guarantee the effective and independent functioning of autonomous trade unions and remove undue limitations on the right to strike in various sectors, in line with international standards, particularly International Labour Organisation conventions No. 87 and No.98.

2. Human Rights Defenders remain at-risk

2.1. After a wave of smear campaigns against human rights defenders, in August 2019, organised by religious hardliners, the opposition and violent groups, several HRDs filed complaints at the Maldives Police Service following dozens of death threats. Several protests incited vigilante violence against some HRDs. The lack of acknowledgement of the severity of the problem has forced at least eight HRDs to seek safety outside of the country, and three to seek political asylum abroad.

2.2. One case is known to have been investigated and a man charged for threatening an HRD with murder. The Government reacted timidly to the violent campaign by shutting down Maldivian Democracy Network (MDN) and proceeding to launch criminal investigations of four HRDs associated with a publication by the organisation that highlights findings of a study into the drivers of violent extremism in the Maldives.

2.3. Suggested Recommendations:

- Stop further victimisation of HRDs by withdrawing blasphemy allegations.
- Create a safe, secure and enabling environment, through legislation and policy, for HRDs, CSOs, journalists and media to carry out their work without fear of reprisals, attacks, harassment and intimidation. Conduct impartial, thorough and effective investigations into allegations of attacks, harassment and intimidation against them and bring the perpetrators of such offences to justice.
- Ensure that HRDs can carry out their legitimate activities without fear or undue hindrance, obstruction or legal and administrative harassment.
- Repeal or amend all legislation and decrees that unwarrantedly restrict and criminalise the legitimate work of HRDs, in line with the UN Declaration on Human Rights Defenders.
- Publicly condemn at the highest levels instances of harassment and intimidation of HRDs and CSOs.
- Adopt legislation that guarantees recognition and protection of the legitimate work of the HRDs, by the UN Human Rights Council Resolution 27/31.

3. Freedom of expression and independence of media continue to be stifled.

3.1. In October 2019 Government labelled human rights NGO Maldivian Democracy Network (MDN) blasphemous and anti-Islamic following the NGO's 2016 report "Preliminary Assessment of Radicalisation in the Maldives". In December 2019 the organisation was arbitrarily shut down following the same allegations.

3.2. In June 2020 the same violent extremist groups that called for the shut down of MDN launched a smear campaign against women's rights group Uthema, citing parts of their stakeholder submission to the CEDAW Committee as blasphemous. The campaign also targeted MDN for excerpts of their stakeholder submission to the UPR as allegedly anti-Islamic. The Government has taken no steps to defend either of the rights groups or protect those associated with the publications and the organisations.

3.3. Media outlets, mainly published online in the Maldives, have shown a trend of removing controversial news articles from their websites shortly following publication. It is believed that influential connections to the government pressure media groups to remove publications. The local media is, at times, apologetic towards the narratives of violent extremist groups. Radical clerics licensed by the Government feed into defamation and unfounded allegations of apostasy and anti-Islamic activities against individuals, many of them human rights defenders who promote secularism and tolerance.

3.4. The published reports of the Maldives Media Council show that the Council refuses to take action against media groups that publish misinformation or incite hatred, thereby allowing media groups to operate with impunity.

3.5. Suggested Recommendations:

- Ensure the freedom of expression and media freedom, both online and offline, by bringing all national legislation into line with international law and standards.
- Review the 1994 Religious Unity Act and ensure compliance with international standards and best practices on freedom of expression.
- Repeal all legislation that criminalises blasphemy, in conformity with article 19 of the ICCPR.
- Ensure that journalists and writers can work freely without fear of retribution for expressing critical opinions or covering topics that the government may find sensitive.
- Take appropriate measures in law and policy, in line with international standards, to combat hate speech and prevent attacks and intimidation, both online and offline, against religious and sexual minorities, as well as those who advocate for their protection and rights, by both state and non-state actors, investigate all allegations of such attacks and hold the perpetrators accountable.
- Take adequate steps to lift restrictions on freedom of expression and adopt a framework for the protection

of journalists from persecution, intimidation and harassment.

- Thoroughly investigate all cases of threats, intimidation and harassment against individuals and organisations, mainly through the use of online platforms, and hold those responsible to account.
- Take effective measures to tackle hate speech and incitement of violence on mainstream media, social media, educational material, religious sermons, religious advice, or any other form.

4. Freedom of peaceful assembly unchanged and noncompliant with obligations

4.1. The Right to Peaceful Assembly Act of 2013 has been criticised heavily and several recommendations made to amend it by various human rights mechanisms, including the UPR. The law remains unchanged, and more worryingly, the current Minister of Home Affairs stated in November 2019 that he opposed the reversal of restrictions placed on the right to the assembly by the law.

4.2. Suggested Recommendations:

- Amend the Right to Peaceful Assembly Act to fully guarantee the right to the freedom of peaceful assembly, in conformity with international standards and best practices, as put forward by the UN Special Rapporteur on the rights to freedom of peaceful assembly and association, in his report of 2012.
- Conduct impartial, transparent and credible investigations into all allegations of the use of excessive force by security forces, particularly during the 2018 mass demonstrations that followed the imposition of a state of emergency.

5. Discrimination against women and girls exacerbated by religious extremism

5.1. The rapid rise of religious extremism has gone unaddressed by the government, including organised campaigns by religious parties (including Adhaalath Party, a member of the government coalition), clerics and non-state groups to enforce religious narratives against the advancement of women and girls. The appointment of two women as Supreme Court justices was met with extreme criticism by radical religious groups. The approach of the Government of Maldives in this matter was to avoid addressing this issue to clarify religious bases for women in public life, which led to the groups targeting the two women and other women in leading positions, personally in malicious attacks delivered mostly on online platforms. The Parliament rejected a third woman nominated for the bench.

5.2. The timid and appeasing manner in which the State has approached religious extremists showcase a worrying trend of prioritising appeasement through backtracking on the little advancement that the Maldives has had on women and girls' development.

5.3. The issue of parents refusing to send girls to school has been raised, including by the NHRI. While legislative changes have been made to enforce vaccination of children, no action is seen to hold parents who refuse to send girls to school liable under the law.

5.4. Suggested Recommendations:

- Ensure adequate human and financial resources are allocated to realise the full implementation of the 2012 Domestic Violence Prevention Act.
- Allocate State budget to establish sexual and reproductive health clinics in every atoll to provide access to SRH information.
- Remove mandatory spousal consent for long-term methods of family planning from the national standards.
- Increase the number of female judges to bridge the existing gender gap to improve justice services to gender-based violence survivors.
- Withdraw reservation to the article 16 of the CEDAW.

6. Violence against women and gender stereotypes remain unchanged.

6.1. The statistics on violence against women and girls remain unchanged in the Maldives despite the ratification of the Prevention of Domestic Violence Law. The case has especially risen dramatically during the lockdown and restrictions followed by the COVID-19 pandemic.

6.2. The judiciary appears unfamiliar with international obligations and best practices to protect women and girls from violence, resulting in the acquittal of those who are charged with violence against women and girls.

6.3. Religious groups have gained full reign of establishing stereotypes for women and girls, including their role in society which is often-times limited to housework and childbearing, clothing etiquettes which have to conform to the Arabic styles and pressured to wear the full Niqab, promotion of female genital mutilation and “female circumcision”, narratives against the concept of marital rape, staying home without schooling, and agreeing to polygamous marriages among others. These narratives are widespread through religious preaching, mainstream media, social media, lectures conducted in mosques and other private venues, published material and to an extent through the national curriculum. Clerics who disseminate the information are endorsed and licensed by the Government of Maldives.

6.4. Courts have, in recent years, sentenced women to be stoned to death in addition to disproportionate sentencing of women to flogging for unlawful sex.

6.5. The State has taken no action to correct the widespread radical narratives that subject women and girls to

violence and stereotyping. Further, the government has made no effort to educate the public on moderate views of Islam, of which plenty can be found, which empower and protect women and girls, and promote them as equals to men and boys.

6.6. Suggested Recommendations:

- Ensure adequate human and financial resources to enable the full implementation of the Domestic Violence Prevention Act of 2012.
- Train judges and lawyers to appropriately deal with cases of gender stereotyping and violence against women and children.
- Make amendments to the Penal Code to eliminate capital punishment.
- Develop and deliver training for judges to appropriately deal with cases involving gender-based violence victims and survivors.

7. Migrant workers facing severe violations of their human rights

7.1. The Maldives is yet to accede to the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families.

7.2. The situation of xenophobia and discrimination against migrant workers has further deteriorated, with large parts of the society calling on the State to send victim of human trafficking, mostly Bangladeshi workers, back to their countries.

7.3. Appallingly, the Government of Maldives, according to media reports, have sent close to 6,000 migrant workers back to their home countries during the COVID-19 pandemic. None of the processes followed or the exact number of workers sent back has been made transparent by the government, including the status of their consent to being sent back, whether the workers were paid wages for the work they were forced to do, and whether the workers received compensation for injustices.

7.4. Dozens of migrant workers, unpaid for over six months, who protested against slavery were arrested in July 2020 and at least 38 deported, others facing charges. While their investigation continues, the Minister of Defence has on different occasions made public statements labelling the protesters “needing to be treated in the perspective of national security” while no action was taken against protesters calling to burn and kill HRDs.

7.5. Action against perpetrators of human trafficking and enslavement is not visible.

7.6. Suggested Recommendations:

- Publicly disclose all information pertaining to migrant workers sent back from the Maldives, including number of people aggregated by nationality and gender, whether every one of them consented to be sent back, whether they were compensated adequately for slavery and human trafficking, whether they were paid wages for the services they provided regardless of whether they had immigration documents.
- Accede to the International Convention on the Protection of the Rights of All Migrants Workers and Members of Their Families, without delay.
- Adopt and implement legislation to ensure the protection of migrant workers from xenophobic and racial discrimination against them.
- Implement public awareness programs to counter xenophobia and racism.
- Take effective measures to prohibit exploitative labour practices against migrant workers and afford them all rights assured in the Employment Act of Maldives.

8. Accountability for past atrocities excluded from the proposed legislation

8.1. The government has proposed a Transitional Justice Bill to the Parliament that limits its jurisdiction between 1 January 2012 and 17 November 2018. This move contradicts recommendations made by the UN Human Rights Committee and the UN Committee Against Torture to ensure that past atrocities before 2012 are addressed in a transitional justice program.

8.2. The Bill lacks proper understanding of the purpose of transitional justice, as it does not include all benefits for survivors that are usually included in similar processes.

8.3. It is evident from the inadequate provisions in the Transitional Justice Bill and the unwillingness of the government to speak of the topic, that there is a severe learning gap within the government and also the Parliament on the subject of transitional justice. This may result in a selective and incomplete transitional justice law that further divides the nation and victimise victims.

8.4. Survivors from atrocities during the regimes of president Ibrahim Nasir and president Maumoon Abdul Gayyoom remain without justice. Stories of these atrocities are only passed down informally through word of mouth or writings of historians but never included in official historical documents or the education system, posing the threat of being forgotten.

8.5. Suggested Recommendations:

- Enlist the assistance of the UN Special Rapporteur on Transitional Justice and an expert on the subject to ensure a complete and fair law before it is passed and ratified.
- Ensure that the law allows to investigate and address past atrocities prior to 2012, namely the thirty years of autocratic rule under President Maumoon Abdul Gayoom and the previous regime under President Ibrahim Nasir.

9. Conditions of torture and detention conditions lack improvement

9.1. The Prison Audit Commission, a specialised body, established by the Minister of Home Affairs in December 2018, had a mandate to conduct a full audit of the main prisons and detention centres for compliance with the Mandela Rules. The Commission completed its work in mid-April and handed the report to the Minister which included information about gross human rights violations, torture, uninhabitable prison conditions and serious corruption alongside 182 time-bound recommendations. Despite the government having assured the public of implementing all of the recommendations, 18 months later over 80% of the recommendations remain unimplemented.

9.2. Recommendations made by the UN Committee Against Torture during its review of Maldives in November 2018 remain unimplemented.

9.3. Policemen recorded on video in July 2019 while torturing a group of migrant workers and some Maldivians during what the police claim to be a 'drug raid' remain in the police service without criminal charges.

9.4. Prison and custodial deaths have continued since the change in government in 2018, and a trend of protecting prison and detention officers from allegations of torture can be seen. The Maldives still do not have a Medical Examiner or an Office of the Medical Examiner to conduct post mortem examinations, which is vital given the rate of unsolved murders (100%) and prison and custodial deaths which are always closed with a medical diagnosis.

9.5. Prisons and detention centres continue to be off-limits for civil society, despite some organisations having a primary focus on torture prevention and detainees rights. Detainees without access to a lawyer or with family living too far to be able to visit, have no one to ensure their protection from torture and maltreatment.

9.6. Suggested Recommendations:

- Complete implementation of recommendations of the Prison Audit Commission that have passed the implementation dates within the next 12 months.
- Complete implementation of all recommendations of the Prison Audit Commission according to the timelines indicated in the recommendations.

- Fully implement the recommendations made by the UN Committee Against Torture.
- Amend internal procedures of the Maldives Police Service to include time-bound processes that prioritise torture allegations against its officers.
- Establish a Medical Examiner's Office and amend relevant laws to enable mandatory post mortem examination following suspicious deaths.
- Allow civil society organisations to access prisons and detention centers as part of monitoring activities.
- Apply community service and other non-custodial measures for minor offenses and drug offenses excluding drug trafficking, with the aim to decrease prison population and enhance reintegration of offenders.

10. Extrajudicial killings and the forced disappearance of Ahmed Rilwan

10.1. The Deaths and Disappearances Commission (DDCom) set up by President Solih in November 2019 to investigate 27 unresolved criminal cases between January 2012 and November 2018 is not showing any progress in holding perpetrators to account. Although the presidential commission was empowered through law with the ratification of the Presidential Commissions Act in June 2019, the DDCom investigations have not been able to secure arrests or prosecution of the alleged perpetrators.

10.2. The chair of the DDCom, Husnu Suood, resigned from the DDCom after he was nominated to the Supreme Court bench in December 2019. Another member also resigned on the same day, leaving three remaining members in the embattled investigative commission.

10.3. In November 2019 the DDCom concluded its investigation into Dr Afrasheem Ali's extrajudicial killing in October 2012. Dr Afrasheem was an MP and religious scholar who was targeted by extremists and Salafi groups over his moderate religious views. The DDCom sought to press charges against three individuals implicated in the killings of Dr Afrasheem, blogger Yameen Rasheed and journalist Ahmed Rilwan Abdulla.

10.4. At the end of the year, the Prosecutor General sent the cases back to the Commission, citing insufficient evidence, as reported by local media on 31 December 2019. The prosecution requested further investigation from the DDCom, and to initiate a new criminal investigation with the police regarding one of the three accused who is a former Islamic Minister. In January 2020, the Islamic Minister implicated in the Islamic scholar's murder called on the authorities to take legal action against the DDCom for disclosing its report before the investigation was completed.

10.5. Recently, the Speaker of Parliament, Mohamed Nasheed, criticised the DDCom over its lack of progress in investigating those who planned, funded and derailed the murder investigations. The Speaker's comments from June 2020 were echoed by other MPs, and refuted by the DDCom, assuring the public that its work is continuing.

10.6. The families of slain writers Rasheed and Abdulla met the president in July to request foreign expertise in the murder investigations. On 8 August 2020, six years after Abdulla's forced disappearance, the president publicly stated that the government is working to secure an international expert by the end of September 2020.

10.7. In July, President Solih forwarded two human rights treaties, the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights (ICESCR), and the International Convention for the Protection of all Persons from Enforced Disappearance (ICPPED) for parliamentary review. The People's Majlis approved the ICPPED on 25 August 2020.

10.8. Suggested Recommendations:

- Complete all investigations on pending cases of enforced disappearances, identify the perpetrators, and hold them accountable.

11. The death penalty

11.1. The Maldives maintained a de facto moratorium on executions for over half a century, from 1954 to 2014, when the previous government under President Abdulla Yameen began active steps to resume executions. To date, no executions have taken place. Given the fears over resurgence of the death penalty in the Maldives, during its second UPR, the Asian island nation received (and did not accept) 25 recommendations concerning the use of the death penalty. Thirteen recommendations called for the continuation of a moratorium on the use of the death penalty.

11.2. In November 2018, shortly after President Solih's government assumed power, the Maldivian delegation in Geneva pledged to reinstate the moratorium on the death penalty and commute all death sentences to life imprisonment during the UN CAT's review of the initial report of the Maldives. Furthermore, the delegation expressed the intention to vote in favor of the UN General Assembly resolution on the moratorium on the use of the death penalty. Despite this commitment at the UN CAT, the following month the Maldivian delegation in New York voted against the resolution. Shockingly, the government also declared that executions will resume after judicial reform.

11.3. In response to MDN's Right to Information application, in June 2019 the Maldives Correctional Service revealed that as of November 2018 there were 28 prisoners on death row – an increase from the 11 recorded in early 2014. The RTI also mentioned that nine individuals have had their death sentences commuted to life imprisonment since the change of government in late 2018.

11.4. The Government-submitted Juvenile Justice Bill was ratified into law in November 2019, along with the new Child Rights Protection Act. The new Juvenile Justice Act came into effect in February 2020. The Juvenile Justice Act bars criminal responsibility for children under 15 (Article 27). Importantly, the Act prohibits the death penalty for murder convicts under 18 at the time the crime was committed or those who become 18-years-old awaiting completion of the trial (Articles 28 and 103).

11.5. Suggested Recommendations:

- Immediately reinstate the moratorium on the use of the death penalty and commute all death sentences to life imprisonment.
- Make public all information concerning the use of the death penalty, including detailed statistics on the existing death row population in the Maldives.
- Accede to the Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty.

12. Religious and sexual minorities

12.1. During the previous UPR cycle, recommendations also raised alarms over the rights of religious and sexual minorities, urging the country to adopt measures to provide legal protection and recognition for minority groups. It is worth noting that during the UPR, Muslim-majority states also called on the Maldives to respect freedom of and from religion, creating an equal democratic space for all communities.

12.2. Maldivian social media users expressing criticism of Islamic sharia penalties or the country's religious establishment have regularly come under attacks from religious hardliners and violent groups. Some of the clerics labelling individuals as 'anti-Islamic' are licensed by the Islamic Ministry, and some hold positions in the Islamic Studies faculty at the Maldives National University.

12.3. One of the recommendations from the previous UPR cycle called for constituting "necessary institutional infrastructure to promote mutual understanding, tolerance and [...] to contribute to addressing religious extremism and strengthening cultural diversity."

12.4. State authorities control dialogue on religious affairs through provisions in the Penal Code which stipulates "criticism of Islam" as a criminal offence. Furthermore, "disruption of religious unity" is also a criminal offence under the Religious Unity Act. Religious discourse is only permissible for the clerics licensed under the Religious Unity Act. Between 2017 and 2020, several individuals have continued to be summoned or arrested and face criminal investigation following blasphemy allegations relating to the expression of views deemed contrary to Islam.

12.5. Suggested Recommendations:

- Allow for non-citizens to practice their religion publicly and decriminalize the presence of non-Muslim places of worship in the country.
- Grant legal protection and recognition to individuals belonging to religious and sexual minorities, with the aim to prevent physical attacks and other forms of harassment against them.

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