



# General Assembly

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**Human Rights Council**  
**Sixteenth session**  
Agenda item 6  
**Universal Periodic Review**

## **Report of the Working Group on the Universal Periodic Review**

### **Maldives**

#### **Addendum**

#### **Views on conclusions and/or recommendations, voluntary commitments and replies presented by the State under review\***

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\* The present document was not edited before being sent to the United Nations translation services.

## **Maldives Response to Recommendations as Published in the Report of the Working Group on the Universal Periodic Review (A/HRC/16/7)**

The Maldives wishes to note that the below responses to the received recommendations are subject to normal democratic procedures in the country, in particular parliamentary approval.

100.1 The Maldives accepts this recommendation.

100.2. The Maldives accepts this recommendation.

100.3. The Maldives accepts this recommendation.

100.4. The Maldives accepts this recommendation.

100.5. The Maldives partially accepts this recommendation.

The Maldives accepts the recommendation to sign/ratify the Optional Protocol to the ICESCR and the ICRMW. It accepts the recommendation to ratify the CPED having already signed the Convention. It accepts the recommendation to sign/ratify the CPRD. It does not accept the recommendation to sign/ratify the Second Optional Protocol to the ICCPR.

100.6 The Maldives rejects this recommendation.

Notwithstanding, the Maldives is committed to maintaining a moratorium on the death penalty as its recent vote at the UN General Assembly demonstrates.

100.7 The Maldives accepts this recommendation.

100.8 The Maldives accepts this recommendation.

100.9 The Maldives partially accepts this recommendation.

The Maldives accepts the recommendation to sign/ratify ICRMW. However, the Maldives reserves the right to introduce reservations to certain articles, including those relating to freedom of religion, in line with the Constitution of the Maldives.

100.10 Partially accepts.

The Maldives accepts the recommendation to ratify the Core ILO Conventions. The Maldives cannot accept to sign/ratify the 1951 Refugee Convention or its 1967 Protocol at the present time due to financial and technical capacity constraints.

100.11 Partially accepts

The Maldives accepts the recommendation to ratify the Rome Statute of the ICC. The Maldives cannot accept to sign/ratify the 1951 Refugee Convention or its 1967 Protocol at the present time due to financial and technical capacity constraints.

100.12 The Maldives accepts this recommendation.

100.13 The Maldives accepts this recommendation.

100.14 The Maldives cannot accept this recommendation.

Notwithstanding, the Maldives does commit, as per recommendation 100.91, to begin awareness-raising and public debate around the issue of freedom of religion and religious tolerance.

100.15 The Maldives partially accepts this recommendation.

The Maldives cannot accept the recommendation to review and withdraw the reservation under Article 18 of the ICCPR. The Maldives cannot accept the

recommendation to review and withdraw the reservation under Article 14 of the CRC. Regarding Article 21 of the CRC, the Maldives accepts to begin consultations with relevant national authorities and other Islamic countries which have not maintained a reservation on this article, with a view to submitting an interpretative declaration clarifying that alternative forms of care (Kafaalaath under Islamic Shariah) are practiced in the Maldives. Such a declaration, if accepted, would allow the Maldives to remove its reservation to Article 21. Further, the Maldives agrees to remove its reservation from paragraphs 1(a), 1(b), 1(e) and 1 (g) and 1(h) and 2 of Article 16 of CEDAW.

100.16 The Maldives partially accepts this recommendation.

The Maldives accepts the recommendation to continue to cooperate with human rights mechanisms. For the Maldives' position on the recommendation to reconsider their reservations under ICCPR, CEDAW and CRC, see 100.15.

100.17 The Maldives partially accepts this recommendation.

For the Maldives' position on the recommendation to reconsider their reservations under ICCPR, CEDAW and CRC, see 100.15.

100.18 The Maldives cannot accept this recommendation.

100.19 The Maldives takes note of this recommendation.

The Maldives cannot accept the recommendation to review and withdraw the reservation under Article 18 of the ICCPR. The Maldives cannot accept the recommendation to review and withdraw the reservation under Article 14 of the CRC. Regarding Article 21 of the CRC, the Maldives accepts to begin consultations with relevant national authorities and other Islamic countries which have not maintained a reservation on this article, with a view to submitting an interpretative declaration clarifying that alternative forms of care (Kafaalaath under Islamic Shariah) are practiced in the Maldives. Such a declaration, if accepted, would allow the Maldives to remove its reservation to Article 21.

100.20 The Maldives partially accepts this recommendation.

See 100.15.

100.21 The Maldives takes note of this recommendation.

For the Maldives' position on the recommendation to reconsider their reservations under ICCPR, CEDAW and CRC, see 100.15.

100.22 The Maldives accepts this recommendation.

100.23 The Maldives accepts this recommendation.

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100.30 The Maldives accepts this recommendation.

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100.32 The Maldives accepts this recommendation.

The Human Rights Commission of the Maldives (HRCM) is fully independent. Making the HRCM fully Paris Principle-compliant would require an amendment to relevant legislation in order to remove the requirement that Commissioners are Sunni Muslims.

100.33 The Maldives accepts this recommendation.

100.34 The Maldives accepts this recommendation.

100.35 The Maldives accepts this recommendation.

100.36 The Maldives accepts this recommendation.

100.37 The Maldives accepts this recommendation.

100.38 The Maldives cannot accept this recommendation.

The Maldives believes that human rights and fundamental freedoms are universal values and are not subject to local traditions, customs or morals.

100.39 The Maldives accepts this recommendation.

100.40 The Maldives accepts this recommendation.

100.41 The Maldives accepts this recommendation.

100.42 The Maldives accepts this recommendation.

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100.46 The Maldives accepts this recommendation.

100.47 The Maldives accepts this recommendation.

100.48 The Maldives accepts this recommendation.

The Maldives Constitution grants equal rights and opportunities to all its citizens, including access to health, education, housing, professions, etc. However, under Shariah law, the children of unmarried parents cannot claim inheritance from their father unless expressly provided for in the will.

100.49 The Maldives accepts this recommendation.

100.50 The Maldives cannot accept this recommendation.

100.51 The Maldives cannot accept this recommendation.

100.52 The Maldives cannot accept this recommendation.

100.53 The Maldives cannot accept this recommendation.

100.54 The Maldives cannot accept this recommendation.

100.55 The Maldives partially accepts this recommendation.

The new draft Penal Code currently before the People's Majlis is the first of its kind, designed to combine Shariah law with international human rights law and best practice. Notwithstanding, the new draft Penal Code does include provisions on corporal punishment.

100.56 The Maldives takes note of this recommendation.

The Maldives is committed to maintaining a moratorium on the death penalty as its recent vote at the UN General Assembly demonstrates.

100.57 The Maldives takes note of this recommendation.

See 100.56.

100.58 The Maldives accepts to begin wider consultations on this matter.

The Maldives accepts to consult with relevant national and international authorities to assess whether the application of corporal punishment, as currently practiced in the Maldives, is compatible with the Maldives' international obligations under the Convention against Torture and other Cruel, Inhuman or Degrading Treatment (CAT), and also whether the newly-independent judiciary in the country has the capacity, at present, to pass down such punishments in a manner fully consistent with the Maldives Constitution and international human rights law, in particular those provisions dealing with non-discrimination on the basis of gender.

100.59 The Maldives accepts this recommendation.

100.60 The Maldives partially accepts this recommendation.

The Maldives is committed to taking a wide-range of actions to eliminate violence against women. With regard to Article 16 of CEDAW, see 100.15.

100.61 The Maldives partially accepts this recommendation. See 100.60.

100.62 The Maldives accepts this recommendation.

100.63 The Maldives accepts this recommendation.

100.64 The Maldives accepts this recommendation.

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100.86 The Maldives accepts this recommendation.

100.87 The Maldives accepts this recommendation.

100.88 The Maldives cannot accept this recommendation.

The Maldives does commit, as per recommendation 100.91, to begin awareness-raising and public debate around the issue of freedom of religion and religious tolerance.

100.89 The Maldives cannot accept this recommendation.

The Maldives does commit, as per recommendation 100.91, to begin awareness-raising and public debate around the issue of freedom of religion and religious tolerance.

100.90 The Maldives cannot accept this recommendation.

The Maldives does commit, as per recommendation 100.91, to begin awareness-raising and public debate around the issue of freedom of religion and religious tolerance.

100.91 The Maldives accepts this recommendation.

The Maldives commits to begin domestic awareness-raising and an open public debate on religious issues. Moreover, bearing in mind that perceptions of human rights and religion in the Maldives are heavily influenced by relevant international debates and norms, the Maldives requests international support to host, in 2012, a major international conference on modern Sharia jurisprudence and human rights.

100.92 The Maldives cannot accept this recommendation.

The Maldives does commit, as per recommendation 100.91, to begin awareness-raising and public debate around the issue of freedom of religion and religious tolerance.

100.93 The Maldives accepts this recommendation.

100.94 The Maldives cannot accept this recommendation.

Notwithstanding it is important to note that non-Muslims are free to practice their own religion in private.

100.95 The Maldives cannot accept this recommendation.

Please refer to clarification under recommendations 100.90 and 100.91 above.

100.96 The Maldives cannot accept this recommendation.

Please refer to clarification under recommendations 100.90 and 100.91 above.

100.97 The Maldives cannot accept this recommendation.

Please refer to clarification under recommendations 100.90 and 100.91 above.

100.98 The Maldives cannot accept this recommendation.

Please refer to clarification under recommendations 100.90 and 100.91 above.

100.99 The Maldives cannot accept this recommendation.

Please refer to clarification under recommendations 100.90 and 100.91 above.

100.100 The Maldives takes note of this recommendation.

Blasphemy is not currently criminalized in the Maldives. Apostasy is not criminalized under existing law, but is governed by uncodified Shariah Law.

100.101 The Maldives cannot accept this recommendation.

100.102 The Maldives takes note of this recommendation. See 100.100.

100.103 The Maldives accepts this recommendation.

100.104 The Maldives accepts this recommendation.

100.105 The Maldives accepts this recommendation.

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100.126 The Maldives accepts this recommendation.