



# Convention on the Elimination of All Forms of Discrimination against Women

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## Committee on the Elimination of Discrimination against Women

Pre-session working group

Thirty-seventh session

15 January-2 February 2007

### List of issues and questions with regard to the consideration of the combined second and third periodic reports\*

#### Maldives

1. The pre-session working group examined the combined second and third periodic reports of Maldives (CEDAW/C/MDV/2-3).

#### General

2. Please provide details about the process used to prepare the combined second and third periodic reports, including the role of non-governmental organizations that work on women's human rights, and whether the report was adopted by the Government and presented to the People's Majlis.

#### Constitutional, legislative and institutional framework and status of the Convention

3. Please clarify the precise status of the Convention in the domestic legal system and specify which provisions would prevail in instances of conflict between provisions of the Convention, the Constitution and Islamic jurisprudence. Is the Convention directly applicable in the courts?

4. In the light of the Committee's concluding comments on the initial report of Maldives (see A/56/38, para. 130), please describe any progress towards the withdrawal of the reservations to articles 7 (a) and 16 of the Convention. What has been the outcome of the consultations with the Gender Equality Council as well as the recommendations of the President to the Special Majlis and his reform agenda with regard to articles 34 and 52 of the Constitution? In this context, what progress has been made towards repealing legislation that prohibits women from running for the office of President and Vice-President of the country?

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\* The page numbering in this list of issues and questions refers to the English version of the report.



5. The report indicates on pages 17 and 18 that “it is expected that the constitutional provisions on fundamental rights would include non-discrimination on the ground of sex with minimum reservations to accommodate the Islamic Shariah”. Please indicate progress, including a time frame as to when the reform of the Constitution undertaken by the Special Majlis will be completed. Provide details on what the “minimum reservations to accommodate the Islamic Shariah” are and whether they have been defined in the reform agenda of the President.

6. On page 5 of the report, in relation to violence against women, the judicial system is characterized as being “negligent”. What is the Government’s strategy to strengthen the judiciary and other law enforcement agencies, such as the police, in the area of gender issues?

7. Please provide further details about the composition, mandate and activities of the Human Rights Commission of Maldives established on 10 December 2003 (see p. 8 of the report) and whether it has dealt with issues relating to gender equality and non-discrimination on the basis of sex.

8. Please provide detailed information about the Draft Plan of Action referred to on page 7 of the report and on the National Policy on Women/Gender Equality referred to on page 9 of the report, whether or not they have been adopted and implemented and, if so, what their achievements, obstacles and progress to date have been.

9. Please provide greater detail about the Gender Management System in terms of staffing, stakeholders, structures, training and resources (see pp. 4, 5 and 18 of the report). What steps are being taken to get the commitment of all stakeholder agencies and their officers to gender mainstreaming (see p. 5)?

#### **Temporary special measures**

10. Bearing in mind the Committee’s general recommendation 25 on article 4, paragraph 1, of the Convention on temporary special measures, and its concluding comments on the initial report of Maldives (see A/56/38, paras. 134 and 135), please explain why quotas or similar measures have not been used, particularly in the short term, to increase the number of women in decision-making positions and in legislative bodies.

#### **Discriminatory practices and stereotypes**

11. The report has identified, on page 11, that priority action is required to tackle historical and existing discriminatory practices. Please provide details of any progress in this area, including, in particular, whether a comprehensive strategy exists — involving collaboration with non-governmental organizations — to change stereotyping that discriminates against women.

12. Please provide more specific information about the increasing number of women in areas of work that are traditionally considered to be men’s and about women’s representation in the Cabinet, the People’s Majlis and the Special Majlis (see pp. 19 and 20 of the report).

**Violence against women**

13. The report mentions, on page 15, that violence against women is a priority area of concern for the Ministry of Gender, Family Development and Social Security. In light of the Committee's concluding comments on the initial report of Maldives (see A/56/38, para. 137), please indicate what steps have been taken to enact laws on domestic violence and marital rape, in accordance with general recommendation 19 on violence against women.

14. Apart from the measures listed on page 15 of the report, what other steps are being taken to encourage reporting of cases of violence against women, especially domestic violence cases, to provide relief to victims of violence through the establishment of shelters and the provision of psychological counselling and rehabilitation?

15. Please provide details on the number of cases recorded since the establishment of the database and on whether there is a referral system whereby cases reported at the police station or to medical personnel are included in the database.

16. What are the gender concerns addressed in the draft discussion paper on the reform of the criminal justice system (p. 8 of the report) and what recommendations have been made? Has the Government produced a strategic plan for the reform of the criminal justice system?

17. Several special procedures of the United Nations Commission on Human Rights presented a joint appeal to the Government of Maldives on 6 October 2004 (see E/CN.4/2005/64/Add.1, paras. 540-541) to which the Government replied, concerning Jennifer Latheef, who reportedly works on human rights concerns, in particular on sexual abuse in Maldives. In the appeal, it was alleged, inter alia, that Ms. Latheef was detained at the Dhoonidhoo interrogation centre, where she was kicked by police while blindfolded. According to the Government's response, dated 27 November 2004, Ms. Latheef was under house arrest. Charges were to have been filed against her. Please provide information about the charges filed against Ms. Latheef and the outcome of the trial. Please provide information as to whether the allegations of police brutality and ill-treatment in detention were investigated and, if so, what the result was.

**Exploitation of prostitution and trafficking**

18. Please provide information about the implementation of penal laws to prevent and punish the exploitation of prostitution as well as measures taken to provide rehabilitation and support for the social reintegration of women in order to help them leave prostitution.

19. The report does not provide any indication of the prevalence of trafficking in women and girls. In presenting its initial report, the representative of Maldives stated that trafficking in women and girls was not considered a problem, but that there would be a need to introduce anti-trafficking measures in future in light of the growing expatriate population. Please provide information on any legislation adopted and its implementation and other mechanisms at the national level to prevent and punish trafficking in women and girls.

**Education**

20. Great differences are noted in the number of boys and girls in higher education (see p. 20 of the report). Please indicate what steps are being envisaged by the Government to address existing gaps in women's access to higher education. What are the obstacles, if any, to the adoption of temporary special measures in order to increase women's access to higher education?

21. According to the report (see p. 20) vocational courses are almost exclusively dominated by males, except for a few courses. What measures are being taken to eliminate such gender bias? Describe what time-bound strategies and targets are in place for increasing the number of female students in non-traditional fields of study and training.

**Employment**

22. Please provide details on the Employment Skills Training Project as well as on the low-interest loan schemes for women in Male and elsewhere (see p. 10 of the report), including the numbers of women who have been beneficiaries.

23. The report indicates gender-based division of labour or occupational segregation as well as great discrepancies in the proportion of women in the upper decision-making levels of the occupational hierarchy (see p. 21). Please provide detailed information as to how the Government intends to achieve gender equality in the field of employment.

24. The report is silent on the working conditions of women in both the formal and informal sectors, on pay inequalities, on the incidence of sexual harassment and on the de facto situation of women in the informal sector. Please provide detailed information thereon.

25. Please indicate how national development plans or poverty reduction strategies that are in place in the country, including those aimed at achieving the Millennium Development Goals, integrate a gender perspective and contribute to the implementation of the Convention on the Elimination of All Forms of Discrimination against Women.

**Health**

26. What gaps have been identified by the governmental surveys, including the "Multiple Indicator Cluster Survey", vis-à-vis the actual situation of reproductive health (see pp. 5 and 12 of the report) and what action will be taken to address those gaps?

27. Please provide details about the reproductive health strategy referred to on pages 13 and 22 of the report, including how it will be implemented and what the specific targets and time frames are.

**Rural women**

28. Please provide information about the results of the study carried out by the Ministry of Atolls Development on income generation for women (see p. 23 of the report).

**Marriage and family relations**

29. The report refers, on page 14, to research into the impact of the Family Law of 1 July 2001. Please provide information on the results of the research.

30. The Committee stated in its general recommendation 21 on equality in marriage and family relations that polygamous marriage contravenes a woman's right to equality with men and can have such serious emotional and financial consequences for her and her dependants that such marriages ought to be discouraged and prohibited. The Committee also considered polygamous marriages to breach the provisions of article 5 (a) of the Convention. Is the Government considering discouraging or banning polygamy?

**Optional Protocol**

31. Please describe measures in place to publicize the Optional Protocol and encourage its use.

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