



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

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**Committee on the Elimination of Discrimination
against Women**

Twenty-fourth session

Summary record of the 499th meeting

Held at Headquarters, New York, on Wednesday, 24 January 2001, at 3 p.m.

Chairperson: Ms. Regazzoli (Vice-Chairperson)

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In the absence of Ms. Abaka, Ms. Regazzoli, Vice-Chairperson, took the Chair.

The meeting was called to order at 3.05 p.m.

Consideration of reports submitted by States parties under article 18 of the Convention (continued)

Initial report of Maldives (continued)
(CEDAW/C/MDV/1)

Article 16

1. *At the invitation of the Chairperson, Ms. Ahmed (Maldives) took a place at the Committee table.*

2. **Ms. Goonesekere** requested clarification of the delegation's statement that under the new family law, the minimum age of marriage would be set at 18 for both men and women except under special circumstances and at the discretion of the marriage registrar. She stressed that child marriage was detrimental to girls' health and education.

3. The delegation had also mentioned that the new family law provided for the conclusion of prenuptial agreements that would allow women to restrict men's privileges regarding divorce and polygamy. She wondered how women would negotiate such agreements in practice and how the Government planned to make them aware of their right to do so.

4. In the light of the extremely high divorce rate and of the fact that women were not entitled to support from their ex-husbands, she asked what the Government was doing to cushion the impact of divorce on women's economic situation and whether Maldives had established support structures and a reconciliation system similar to those of other Islamic countries.

5. Paragraph 149 of the initial report (CEDAW/C/MDV/1) stated that although women did not have an equal right to inherit under the shariah, in practice men often waived their entitlement to a greater share of property. However, the delegation had made no mention of that matter in its statement and she wondered whether the situation had changed.

6. Islamic law allowed women to request a divorce on grounds of domestic violence, but the delegation had stated that they were reluctant to admit to being victims. She wondered whether the new family law included measures to address that problem.

7. Lastly, in the light of the large migrant population, she asked how citizenship was transferred in marriages between migrants and citizens of Maldives.

8. **Ms. Livingstone Raday** said that despite the high literacy rate and historically important role of women in society, early marriage, domestic duties and the resulting high drop-out rate for girls at the secondary level had contributed to a feminization of poverty in Maldives.

9. She requested statistics on the percentage of women in polygamous marriages. The Committee had stated in its general recommendation 21 that polygamous marriage had serious emotional and financial consequences for women and should be prohibited. She realized that in becoming a party to the Convention, Maldives had formulated a reservation to article 16 thereof. However, even in the absence of the new family law, the possibility for couples to conclude prenuptial agreements provided a mechanism for compliance with the Committee's recommendation.

10. Paragraph 166 of the initial report stated that women were often the initiators of divorce. She requested statistics on the frequency with which each sex initiated divorce; the high divorce rate and the fact that women were sometimes compelled to continue living in their ex-husband's home until they could support themselves and their children were a source of concern. She wondered whether the new family law contained measures to address that problem and, if not, what the Government was doing to promote prenuptial agreements under which husbands waived the right to unilateral divorce.

11. Paragraph 164 of the report stated that men and women could and did maintain and manage their property and finances separately. However, the delegation had stated that men were considered to be the head of the household and to control the couple's finances. She asked whether the situation had changed or whether the discrepancy reflected a gap between law and practice.

12. Lastly, she urged the Government to take measures to promote employment for women in a small country that needed to make maximum use of all its human capital.

13. **The Chairperson**, speaking in her individual capacity, said that the Committee's questions were

motivated by a desire to help the Government implement the Convention in full and to improve the lives of women in Maldives. In that regard, she was concerned that, although illiteracy was not a problem, there were few women in high-level posts and there was little opportunity for girls to receive an education outside the country. It was important to eliminate gender stereotypes in the educational system and the media.

14. The high divorce rate and the fact that men could marry up to four wives were also a source of concern. She asked what percentage of divorced women remarried, how women viewed divorce and whether the Ministry of Women's Affairs and Social Security had taken measures to include older persons, including women, in the national development process. It would also be useful to have information on the composition and origins of the migrant population. Furthermore, she wondered whether tourism, although of great importance to the economy, had a negative impact on society. Lastly, she urged the Government to withdraw or modify its reservations to the Convention.

15. **Ms. Ahmed** (Maldives) said that she welcomed the constructive criticism offered by the Committee and hoped to be able to reply to most of the questions that had been raised during the current session of the Committee's work.

The meeting rose at 3.30 p.m.