



Statement given by Commissioner Moomina Waheed at the Informal Remote Public Meeting with the Committee on the Elimination of Discrimination against Women (CEDAW)

Distinguished Chair, Excellencies, Delegates, and colleagues from civil society organizations.

I am Moomina Waheed, Commissioner at the Human Rights Commission of the Maldives. It is my pleasure to speak to you today on behalf of the Human Rights Commission of the Maldives.

I would like to highlight on the women's rights and gender-based issues that prevails in the Maldives and reiterate on the proposed recommendations submitted by HRCM to the Committee.

To understand and better address the prevalence of the issue of domestic violence, multi-dimensional research needs to be conducted, as the most recent research was conducted in 2007. The mechanisms for complaint lodging and referrals are complicated, and victims of gender-based violence remain hesitant to come forward, due to the lack of trust in the system and lack of protection for those that report such cases. Currently, DV itself is not regarded as a criminal offence under the Domestic Violence Prevention Act. HRCM is concerned with the low conviction rates and urges the State to criminalize DV as a separate offence to overcome this challenge.

The lack of capacity and sensitivity among investigation officers, along with the limited numbers of atoll-based female investigation officers & magistrates, the lack of sufficient evidence, the lengthy trials, perpetrators in positions of power and retractions of statements by victims due to undue influence and pressure, makes it very difficult to get a clear conviction in cases of violence against women.

Additionally, the shelters established for survivors of domestic violence are neither functional nor adequately equipped with staff and amenities. In the islands outside of the capital, this poses a bigger challenge as the survivors there have limited to zero access to psycho-social support.

HRCM urges the State to further strengthen existing measures to hold perpetrators accountable, improve investigative efforts and strengthen institutional capacity to protect the confidentiality and privacy of victims, and cater to their needs. HRCM recommends to allocate sufficient funding to operationalize shelters and ensure that the necessary measures are taken to facilitate psychosocial support and reintegration services, in an organized and systemic manner. Furthermore, as



stipulated under the Domestic Violence Prevention Act, it is imperative that guidelines and a mechanism for monitoring shelters be established and be adhered to.

The second follow-up to the human rights survey by the Commission revealed that support for gender equality and conviction in equal rights for women has declined over the past 15 years. An emerging religious extremist narrative being used to weaken the support for gender equality, and evidence of belief that gender equality is incompatible with Islam, are very concerning. There is still a widespread belief that obedience to the husband includes submission to obligatory sex, regardless of the wife's consent or needs. HRCM reiterates the importance of extensive efforts to enhance multi-sectoral awareness on gender equality and women's rights, to address the issue of religious extremism and adverse attitudes towards women. It is also important to explicitly criminalize marital rape, without any exemption.

Maldives Demographic Health Survey in 2018 revealed that the practice of female circumcision has been declining over the past 50 years and that prevalence of female circumcision increased steeply with age, from 1% among women aged 15-19, to 38% of women aged 45-49. In the same report, 1% women between the ages 15-49 reported that their living daughters between the ages of 0-14 years are circumcised. Although this number is low, this should be considered as evidence that the practice still prevails. The survey also showed that among women who have heard of female circumcision, 10% believe that the practice is required by the religion, and 8% believe that the practice should be continued. It is also concerning that while some religious leaders with extreme views have called for the revival of the practice, public discussion of the issue is restricted due to societal stigma. HRCM calls the State to create awareness on the long-term harmful effects of female circumcision on the sexual reproductive health of women and girls. In order to make evidence-based policy decisions to address the issue and to explicitly prohibit FGM legally, it is important to conduct comprehensive studies to understand the prevalence and frequency of FGM. There is also a need to provide protection to girls and women who are at risk of being subjected to such harmful practices and adequate support needs to be provided to victims of FGM.

Additionally, the National Standards for Family Planning Services requires written spousal consent for surgical sterilization, indicating an indirect barrier to family planning and bodily autonomy. It is important that policies are revised to ensure that women have the autonomy to take decisions concerning their sexual reproductive health.

Although the gender perspective was incorporated into the national curriculum, HRCM's advocacy efforts identified challenges in the implementation and delivery process due to a lack of awareness among teachers on gender equality and stereotyping. Negative portrayal in media persists, and as a result, women and girls face stereotyping and revictimization. The HRCM calls upon the State to integrate education on women's rights and human rights into the curriculum of all higher education



programs including programs for teachers, medical and legal professionals, media personnel, and programs for law enforcement officials.

Women remain under-represented at the policy and decision-making levels in all branches of the State. While the amendments to the Decentralization Act ensures 33% of local council seats to be allocated for women, and 5% of the local council's budget to be allocated to the Women's Development Committees, functional autonomy over their activities and lack of adequate workspace are still major concerns. Additionally, the general perception on establishing a quota for women on local councils is predominantly negative, due to lack of awareness on the purpose and need for these temporary special measures. HRCM urges the State to ensure financial autonomy for Women's Development Committees.

The multitude of challenges for women in politics and public life include the lack of financing, harassment on the campaign trail, lack of trust in the capability of women, women being held to unreasonably higher standards than men in the same context, negative portrayal and harassment of women in public life in the media and other public platforms, and lack of affordable child and elderly care options.

To increase women's participation in public life and women's representation in leadership roles, it is vital to carry out leadership and empowerment programs for women. HRCM reiterates the importance of establishing legislative measures to increase the percentage of women contesting in elections and in leadership roles of political parties, by earmarking funds that ensure equal and equitable opportunities for women in the People's Majlis.

Employment in the informal sector remained higher among women, signifying that most were without a stable income, paid leave or pension. While the tourism industry is the largest economic industry in the Maldives, participation of Maldivian women in this industry is only 3%. Factors that discourage women working in resorts include unavailability of commuting options, and culturally and religiously perceived restrictions on women's roles and mobility. HRCM urges the State to take the necessary measures to address the gender stereotyping and role of women in economies, as well as to facilitate entry to the job market by creating employment opportunities and increasing access to ways to achieve financial independence.

Provision of basic health services, including Sexual Reproductive Health services for all and mental health services, still remains a challenge especially for people living in outer islands. HRCM urges the State to enable equal and easier access to healthcare, specially for women living in outer islands.

The current Family Act which came into effect in the year 2000 is largely outdated and does not fully recognize gender equality and rights of women and children. HRCM believes that a legislative review is crucial in order to ensure alignment of the legislation with CEDAW.



In conclusion, while acknowledging the State's efforts in the implementation of CEDAW, the Human Rights Commission of the Maldives believes that there still remains much to be done to fully eliminate any and all forms of discrimination against women.

Thank you.

Closing Remarks:

The Human Rights Commission of the Maldives would like to reiterate that while steps have been taken to address certain issues highlighted in our submission, there still remains more to be done. The Commission looks forward to working with the State and all stakeholders in effectively implementing the recommendations of CEDAW.

We thank the UN Human Rights Council for this opportunity.

Thank you very much.

18th October 2021

