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Visite aux Maldives

Rapport du Groupe de travail sur la discrimination à l'égard des femmes et des filles*

Résumé

Le Groupe de travail sur la discrimination à l'égard des femmes et des filles s'est rendu aux Maldives du 11 au 22 septembre 2022. Dans le présent rapport, il examine la situation des droits humains des femmes et des filles en mettant en évidence les progrès accomplis, les problèmes qui subsistent et les possibilités d'amélioration. Dans ce contexte, il passe en revue les cadres législatif, institutionnel et stratégique visant à promouvoir l'égalité des sexes ainsi que la participation des femmes à la vie familiale, économique, sociale, politique et publique et leur autonomisation dans tous ces domaines, s'intéressant en particulier aux femmes qui subissent des formes de discrimination croisée. En outre, il formule des recommandations destinées à faire encore progresser la lutte contre la discrimination et la promotion de l'égalité des sexes.

* Le résumé du présent rapport est distribué dans toutes les langues officielles. Le rapport proprement dit, joint en annexe, est distribué en anglais seulement.



Annexe

Rapport du Groupe de travail sur la discrimination à l'égard des femmes et des filles concernant sa visite aux Maldives

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I. Introduction

A. Visit

1. The Working Group on discrimination against women and girls visited Maldives from 11 to 22 September 2022 at the invitation of the Government. It expresses its appreciation to the authorities for their cooperation and fruitful exchanges before and during the visit.
2. The experts met with representatives of central and local authorities and women's and girls' rights organizations and women and girls themselves in Male', HDH. Kulhudhuffushi, K. Maafushi, R. Maduvvari and K. Guraidhoo. In Male', the experts met with representatives of the Ministry of Foreign Affairs, the Ministry of Gender, Family and Social Services, the Ministry of Health, the Ministry of Education, the Ministry of Higher Education, the Ministry of Finance, the Ministry of Economic Development, the Ministry of Fisheries, Marine Resources and Agriculture, the Ministry of Tourism, the Ministry of National Planning, Housing and Infrastructure and the Ministry of Youth, Sports and Community Empowerment. The experts regret that they were unable to meet officials from the Ministry of Home Affairs and the Ministry of Islamic Affairs. They met with representatives of the Anti-Trafficking in Persons Office, the National Disaster Management Authority and the National Chamber of Commerce and Industry. The experts also held meetings with the Attorney General, Supreme Court and family court judges, women parliamentarians, members of the Human Rights and Gender Committee of the People's Majlis, representatives of the Human Rights Commission and the Commissioner of Police. In addition, the experts met representatives of the Mayor's Office and the Women's Development Committee in Male'; members of the City Council, the Women's Development Committee and representatives of the magistrate's court in HDH. Kulhudhuffushi; and members of the Island Council and Women's Development Committee in R. Maduvvari. The experts visited the women's prison in K. Maafushi; a regional hospital in HDH. Kulhudhuffushi; a health centre in R. Maduvvari; police stations in Hulhumale' and HDH. Kulhudhuffushi; public schools in Male' and K. Guraidhoo; and a home for persons with special needs in K. Guraidhoo. The Working Group expresses its sincere appreciation to all its interlocutors, including survivors of gender-based violence, for their engagement and valuable inputs.

B. Context

3. Maldives has a rich cultural history, where matriarchy once flourished and women widely held positions of power in the private and public spheres. With the propagation of religious conservatism, which imposed the subordination and obedience of women, societal norms, practices and belief systems have been gradually transformed. Following a period of political upheaval and a peaceful transition of power in 2018, a substantial legislative and policy reform agenda was initiated, including in key areas concerning women and girls. Since 2008, with the adoption of a new Constitution, Maldives has taken notable steps to advance gender equality. In 2022, it ranked 117th out of 146 countries on the Global Gender Gap Index¹ and 90th out of 191 countries on the Gender Inequality Index.² The impact of the coronavirus disease (COVID-19) pandemic has been substantial and was felt acutely across the economy, which is highly dependent on tourism. The pandemic has also disproportionately impacted women, who have experienced a decline in economic opportunities and access to sexual reproductive health services, including maternal health care, and an increase in gender-based violence.³
4. As an island State, Maldives is very vulnerable to the negative impact of climate change, which creates specific risks for women and girls. Although they are heavily dependent on natural resources for their livelihood, they are not adequately consulted and often excluded from decision-making and policymaking processes relating to disaster

¹ World Economic Forum, *Global Gender Gap Report 2022* (July 2022).

² United Nations Development Programme, *Gender Inequality Index* (2021).

³ United Nations Population Fund (UNFPA), "[Gender-based violence during COVID-19 pandemic in the Maldives: an analysis of reported cases](#)" (2021).

management, post-disaster reconstruction and recovery programmes, owing to deep-rooted patriarchal attitudes, stereotypes and practices around gender roles.

II. Legal, policy and institutional frameworks

A. Ratification of international instruments and cooperation with human rights mechanisms

5. Maldives has ratified seven of the core human rights instruments. It has demonstrated strong collaboration with international human rights mechanisms and has shown a strong commitment to implementing the 2030 Agenda for Sustainable Development and the Sustainable Development Goals. Notably, it has not ratified the International Labour Organization (ILO) Violence and Harassment Convention, 2019 (No. 190), the Domestic Workers Convention, 2011 (No. 189) or the Maternity Protection Convention, 2000 (No. 183).

6. Maldives acceded to the Convention on the Elimination of All Forms of Discrimination against Women in 1993, with reservations to article 16 (1) (a), (c), (d) and (f) concerning gender equality in marriage and the family, on the grounds of incompatibility with sharia law. The experts share the opinion expressed by the Committee on the Elimination of Discrimination against Women that reservations to article 16 are incompatible with the object and purpose of the Convention and reiterate the importance of States withdrawing their reservations to ensure gender equality. The experts welcome the removal of the State's reservation to paragraph 1 (b), (e), (g) and (h) and paragraph 2 of article 16 of the Convention in 2020, but regrets the persistence of the other reservations.⁴

B. Constitutional and legal framework

7. The 2008 Constitution guarantees rights and freedoms to everyone in a manner that is not contrary to any tenet of Islam, without discrimination, including on the basis of sex (art. 17). The principle of equality is enshrined in article 20. It states that every individual is equal before and under the law and has the right to the equal protection and equal benefit of the law. The Working Group welcomes the removal, in 2008, of a specific provision in the Constitution prohibiting women from running for the presidency.

8. The Working Group strongly welcomes the adoption of the Gender Equality Act in 2016, which defines and prohibits direct and indirect gender-based discrimination. It outlines the duties and responsibilities of State institutions to achieve gender equality and provides a good conceptual framework.⁵ Regrettably, it does not explicitly cover intersecting forms of discrimination. The National Gender Equality Action Plan of 2016, adopted to implement the Gender Equality Act, provides a practical road map for advancing gender equality, with the involvement of a number of ministries, and mainstreaming gender equality as a priority across government. The plan calls for gender-responsive budgeting by at least three ministries by 2026. In that regard, the experts welcome the fact that the Ministry of Finance has already adopted gender-responsive budgeting in its workplan.

C. Institutional and policy framework

9. The Working Group welcomes the creation of the national mechanism for implementation, reporting and follow-up to implement the recommendations adopted by the international human rights mechanisms. The Working Group also notes that several indicators from the Sustainable Development Goals have been integrated into national policies, such as the National Gender Equality Action Plan 2022–2026.

⁴ See <https://treaties.un.org/doc/Publication/CN/2020/CN.73.2020-Eng.pdf>.

⁵ Act No. 18/2016, 23 August 2016.

10. The Ministry of Gender, Family and Social Services has several key roles relating to the formulation of laws and policies and the provision of services to victims of violence. Members of the parliamentary Committee on Human Rights and Gender must ensure that the laws adopted and the corresponding programmes and action plans contribute to the mainstreaming of human rights and achieving gender equality.

11. The National Human Rights Commission, whose priorities include promoting women's rights and gender equality, plays a significant role in the protection of the human rights of women and girls. The Working Group welcomes the Commission's range of activities to promote gender equality and sustainability, and its outreach to schools through the Human Rights Club initiative. The Commission was designated as the national preventive mechanism with the ratification of the Anti-Torture Act (No. 13/2013). The Working Group notes the role of the Act in preventing torture and ill-treatment, in particular for women deprived of liberty. However, it also notes the lack of adequate human, technical and financial resources to fulfil those mandates.

III. Public and political life

A. Political participation and representation in public institutions

12. Women are active in public and political life but are significantly underrepresented in decision-making and leadership positions at national and local levels, occupying around 22 per cent of such posts.⁶ While various initiatives have been implemented to increase women's representation, they have been unavailing. Structural barriers continue to impede women's participation and stereotypical attitudes limit their influence, including when they hold key positions. Discriminatory social and cultural norms regarding women's roles in society, premised on the belief that men make better leaders than women, significantly undermine women's political participation and can render them targets of gendered verbal abuse, both online and offline, harassment, hate speech, political intimidation and disinformation campaigns aimed at silencing them.

13. Following the 2019 parliamentary elections, only 4 out of 87 parliamentarians are women (4.6 per cent), ranking Maldives 180th out of 188 States with respect to female representation in the parliament.⁷ Only 6 out of 17 ministries are headed by women (35 per cent). The experts were informed that women political leaders have limited safeguards against gendered attacks, which are often linked to conservative narratives that question women's competence to participate in public life and aim to limit their role to serving the family and procreation.

14. The 2019 amendment to the Decentralization Act (No. 7/2010) established a 33 per cent electoral quota for women in local councils and legally recognized women's development committees as key partners in community development. The amendment resulted in the election of 388 women to local councils in 2021 (meaning that 39.5 per cent of local council seats are held by women). However, the experts are concerned about the practice of some political parties limiting women to running only for quota seats. Some interlocutors agreed that women were often labelled as "quota counsellors" and once on a committee were given few or no responsibilities: "You are elected but sit here and watch us" is what some are told. The priorities and influence of elected female leaders are further eroded by the practice of only allocating 5 per cent of a local council's budget to the women's development committee and subjecting their requests for funds to the approval of the local council, which creates an additional administrative hurdle for such committees and undermines their autonomy. Additionally, the experts learned from interlocutors that efforts to engage members of women's development committees meaningfully in decision-making are limited. The contributions of elected female members and female administrative officers are frequently undervalued: they are often assigned gender-stereotypical roles, such as

⁶ Maldives, Ministry of Gender, Family and Social Services, *National Gender Equality Action Plan 2022–2026* (Malé, 2022).

⁷ Inter-Parliamentary Union, "Monthly ranking of women in national parliaments" (January 2022).

cooking and cleaning, as part of their official duties. In some places, the lack of cooperation and coordination with local councils significantly hinders their work. The experts were informed about the high number of resignations from these posts, although for a few a women's development committee has provided legitimacy and empowerment, signalling some positive impact. Further, the allowance for members of women's development committees is minimal, which is a major financial barrier and disincentive for women, who often put in many hours and see their work as being important to their constituents, to whom they feel accountable as elected leaders.

15. The experts applaud the Government for achieving gender parity in the foreign service and in the civil service. Since 2019, two of the seven judges serving on the Supreme Court are women. However, the experts note that of 134 magistrates, only 7 are women and only 3 women judges preside over the lower and appellate courts. Across the judiciary, only 20 out of 183 judges are women. In the police service and the National Defence Force, 14 per cent and 5.5 per cent of officers, respectively, are female. Notable efforts are being made in the police force to increase women's participation through initiatives such as "Maldives women in policing".

16. Specific measures are needed to ensure the equal participation and representation of women in all spheres of public and political life, in particular to increase the representation of women, who face significant challenges in occupying both elected and appointed positions, such as minority women, women with disabilities, lesbian, bisexual, transgender and intersex persons and women living in remote or rural areas, in accordance with article 7 of the Convention on the Elimination of All Forms of Discrimination against Women. The Working Group has found that the most significant increase in the number of women in parliaments over the years has been in countries where a legislative foundation, including through constitutional provisions and special measures, such as gender quotas, have been effectively implemented. Women belonging to minority groups are often victims of dual discrimination: they face discrimination within their communities both on account of their minority status and because of their gender. Leadership training and economic assistance for women and awareness-raising for men about gender-based discrimination are good practices that can help to address discriminatory barriers. Considering the constraints faced by women, training for political leadership and assistance for campaigning are needed to help raise the profiles and visibility of women candidates and facilitate their outreach capacity.⁸

B. Women and girl human rights defenders

17. Women's rights and mainstream human rights organizations in Maldives play a key role in advancing efforts to end discrimination against women and girls. Their activities range from broader efforts to promote democracy and press freedom and counter religious extremism to awareness-raising and education and training on gender equality, sexual reproductive health rights and gender-based violence. Such organizations provide shelter, support and rehabilitation and reintegration services for victims and survivors of gender-based violence, migrants, women with disabilities and lesbian, bisexual, transgender and intersex persons. They welcome the opportunity to work collaboratively with and be supported by the Government.

18. The experts are deeply concerned about rising religious fundamentalism, shrinking civic space and organized efforts to undermine women's participation in democracy, as illustrated by many instances of hostility towards those who publicly challenge stereotypical gender norms, including women human rights defenders and journalists. They face online and offline harassment and attacks of a misogynistic and sexist nature that often go unreported, since investigations are not routinely and speedily conducted and there is a general environment of both impunity and reprisals. As expressed by one interlocutor, "Democracy, human rights, good governance work is deemed irreligious". The Working Group notes that women, girls and their allies play crucial roles as human rights defenders and agents of change. Many of them are at the forefront of initiatives aimed at transforming societies, while others are striving to mobilize effectively and find a place of influence. They

⁸ See [A/HRC/23/50](#).

are an integral part of the struggle for more democratic and fairer societies and their activism has brought about unique contributions to the advancement of gender equality and human rights.⁹

IV. Economic and social life

A. Climate change, environment and development practices

19. The experts welcome the adoption of a climate change policy framework for the country but regret its inadequate focus on women and girls. They are concerned about the heightened risks faced by women and girls across the islands due to climate change, environmental degradation and their lack of participation in decisions concerning infrastructure development. The experts learned from interlocutors how these have contributed to precarious environmental conditions, leading to poor health outcomes, food insecurity, a higher burden of care work and the loss of livelihoods for women across the country, as they are heavily dependent on natural resources for their livelihoods. Interlocutors reported hardship, including disruption associated with frequent flooding in food supplies, drinking water and sanitation several times each year, which is aggravated by the destruction of the natural habitat. Disaster responses appear to focus mainly on ad hoc mitigation activities rather than on prevention. The experts encourage mainstreaming of a strong gender component in disaster responses and emergency management, given that women and girls are disproportionately impacted by disasters.

20. The experts are concerned that development projects for infrastructure and tourism, while much needed, are being implemented without thorough gendered impact assessments of natural resource management and without in-depth consultation with local communities, specifically women whose livelihoods are affected. Interlocutors described how the reclamation of islands and lagoons is affecting the fisheries industry, contributing to a loss of economic opportunities and food insecurity, and threatening indigenous practices and handicrafts, in which women are primarily engaged, while at the same time creating new environmental risks.

B. Adequate standard of living

21. As an island nation, the available land in Maldives comprises less than 1 per cent of the total area and most of the country is less than one metre above sea level, exposing it to coastal erosion, frequent storms and consequent flooding and rise of the sea level.¹⁰ The experts welcome the introduction by the Ministry of National Planning, Housing and Infrastructure of a joint title deed system for married couples and the removal of marital status as an eligibility criterion for land title applications. However, they are concerned by data showing that less than one third of women in Maldives own land, owing to inequitable inheritance practices and preferences for male property ownership.

22. Land scarcity and limited economic opportunities in the rest of the country have resulted in overcrowding in Male'. Women and girls in overcrowded housing are especially prone to domestic violence.¹¹ Interlocutors on islands with limited land for housing reported similar concerns about domestic violence and a lack of privacy, resulting in young children's exposure to "things that they should not see". Access to social and other services, as well as to recreational activities, is also limited. That has a severe impact on women and girls, who are becoming increasingly isolated and experiencing related mental health issues. Those already in vulnerable situations, including women and girls with disabilities, are even more acutely impacted.

⁹ See [A/HRC/50/25](#).

¹⁰ See [A/HRC/10/7/Add.4](#).

¹¹ See [E/CN.4/2006/118](#).

C. Women's participation in the labour force and economic security

23. Despite women making up around half the working age population, there is a significant gender gap in the labour force participation rate, which is 42.2 per cent for women compared to 75.1 per cent for men. That gap reflects structural discrimination, including the persistence of gender stereotypes and gendered expectations, norms and attitudes, which remain a significant barrier to ensuring women's equal economic participation. Certain sectors are highly feminized, for example 84 per cent of home-based workers are women. The experts note a higher percentage of women in the informal sector (25 per cent for women versus 16 per cent for men), where adequate social and labour protections are lacking in comparison to the formal sector.

24. It is commendable that parity has been achieved in a few employment sectors, including in the civil service, but a key concern is the concentration of women in lower-level jobs with limited opportunities for career progression. The experts were pleased to learn about the government scheme of low-interest loans to establish micro-, small and medium enterprises that facilitate women's access to financial capital, with 40 per cent of the funds being allocated to promote female entrepreneurship. Out of seven commercial loan schemes, three have specific provisions for women. These are essential to ensure women's equal participation in the paid labour market and the recognition of their contribution to the development of the community, society and economy.

25. Women bear a disproportionate burden of unpaid care and household work, posing a significant barrier to their equal participation in the economic sector. Moreover, the lack of childcare and elderly care facilities limits women's time to engage in paid work. On average, women spend six hours a day on household chores, including unpaid care work for their family members, while men spend half that time.¹² Reportedly, almost 50 per cent of women do not seek employment opportunities due to care work obligations.

26. Another major concern and indicator of discrimination in the world of work is the gender pay gap, as reflected, for example, in the average monthly salary of 11,977 rufiyaa (Rf) (approximately \$775.5) for men, compared to Rf 7,510 (approximately \$486) for women; in a report published in 2018, women were shown to earn 37 per cent less than men.¹³ While the Working Group welcomes the recent introduction of a minimum wage, a pension scheme, the extension of paid maternity leave to six months and paid paternity leave to one month for public sector employees, as well as an unemployment benefit scheme, it regrets that access to such benefits has not been expanded to all sectors, including private and informal employment and those who are economically most vulnerable, including migrant workers. The systemic disadvantages faced by women in employment throughout their careers translate into lower savings and pensions, which is a source of economic insecurity for many and increases their economic dependence.

27. The experts were pleased to learn about the Sexual Abuse and Harassment Prevention Act of 2014 that aims to ensure a work environment free of violence. However, according to a number of interlocutors, sexual harassment of women in the workplace is common, complaints are not taken seriously and redress for victims remains elusive. That contributes to a hostile work environment, undermines workplace safety and security for women and hinders their participation in the workforce.

28. It is estimated that women account for about 10 per cent of the approximately 180,000 migrant workers in Maldives, who are an important part of the country's labour force, mainly in tourism and domestic work. It is concerning that migrant workers do not enjoy the same labour rights as Maldivian workers in relation to daily working hours and paid and sick leave provisions, and they lack special protection from exploitative conditions of work. Without adequate legal protection, migrants are not willing to report incidents of labour violations or violence to the authorities. The experts further noted that Maldivian women do not have the same opportunities as men for paid work in the tourism sector. In addition, there are

¹² National Bureau of Statistics, "I am generation equality: realizing women's rights" (March 2020).

¹³ Maldives, National Bureau of Statistics, *Household Income and Expenditure Survey 2016, Analytical Report III: Employment* (2018).

discriminatory and sexist stereotypes about migrant workers in the industry, especially women migrants.

29. The experts note that 35 per cent of women in employment in rural areas and 16 per cent in Male' earn their livelihoods by working from home, in order to balance their care responsibilities. They also noted a promising practice by the Government to support home-based women entrepreneurs by allowing them to use publicly accessible rental facilities to sell their products in Male'. This measure could be strengthened by including childcare facilities for women entrepreneurs.

D. Right to education

30. The Working Group is encouraged by the high levels of literacy for both women and men,¹⁴ which provides a strong basis for current and future economic participation. The experts are pleased to see a constitutional commitment to foster respect for human rights through education (art. 36), which has a vital role in empowering women and girls. The experts particularly applaud the constitutional guarantee for free primary and secondary education, including a 10-year compulsory cycle and the enactment of the Education Act (2020) and the Higher Education Act (2021) to implement the constitutional provisions.

31. The experts are pleased that women and girls have equal access to and can benefit from loan and scholarship schemes, including greater access than previously to technical education, vocational training and studies abroad. While these measures have contributed to higher graduation rates for women in comparison to men, the experts regret that girls are underrepresented in the fields of science and technology. Further, gains in education have not yet been translated into greater equality in socioeconomic opportunities.

32. The experts were pleased by the infrastructure in the school facilities they visited but regretted that music had been removed from the formal curriculum owing to the rise in religious fundamentalism and staff shortages.¹⁵ While certain aspects of comprehensive sexuality education have been integrated into different subjects, it often targets only girls, leaving boys lacking information on sexual and reproductive health. Quality comprehensive sexuality education should be part of the national school curriculum for girls and boys.

33. The divide between Male' and the rest of the country is evident in the quality of education, leading to major disparities in educational outcomes and economic attainment for rural girls and women, who face multiple barriers. According to some interlocutors, quality higher secondary education is not available on all the islands. Some women reported not being able to pay for their children's education and related costs, such as travel, accommodation or books. The experts are concerned that many children who cannot afford the education offered by the State are educated in Wahhabi madrasas.

V. Health

A. Access to health care

34. The experts were pleased to learn about the universal health coverage scheme (Husnuvaa Aasandha) that was established in 2014, providing free health care for Maldivian nationals, and about a number of policies and strategies that are currently in place to ensure affordable access to quality services. However, access to health care for migrant women and for all those, including Maldivians, with special needs remains a challenge.

35. The majority of graduates and health-care workers are women, but men occupy most of the senior positions due to prevailing gender-related barriers.¹⁶ While noting the

¹⁴ See World Bank, "Literacy rate, youth (ages 15–24), gender parity index (GPI) – Maldives", 24 October 2022 available from <https://data.worldbank.org/indicator/SE.ADT.1524.LT.FM.ZS?locations=MV>.

¹⁵ See A/HRC/43/50/Add.2.

¹⁶ See United Nations Children's Fund, "Policy brief for Maldives" (February 2022).

Government's commitment to providing primary health-care services, including prevention, the experts note the prevalence of a curative and hospital-based care approach. The country is highly dependent on expatriate health professionals to deliver services, especially medical and specialist services outside Male', and turnover is high, which negatively impacts the continuity and quality of services.

36. The Ministry of Health provides mandatory training on gender-based violence focused on screening and mandatory reporting, which is commendable. However, the experts note that health workers do not consider identifying cases of domestic violence as part of their job and instances of domestic violence are often not reported because they are viewed as private family matters.

37. Women residing in the outer islands face several barriers to accessing health care, including expenses related to travel and accommodation, especially when they need specialized care that is not locally available. The experts welcome some of the recent improvements in island connectivity, led by the Ministry of Transport and Civil Aviation, which should lead to better access to health care for women. There is a high prevalence of anaemia, thalassemia and undernourishment related to a lack of information and food insecurity, and the experts noted a high demand for psychological support and mental health services to deal with difficult situations, social conditions and health and environmental crises. They also heard about the re-emergence and spread of vector-borne diseases, including dengue, as a result of climate change, which need more attention, particularly in relation to specific health risks during pregnancy.

38. The experts were pleased to see that the general conditions in the facilities that they visited were of a very good standard and there was a notable presence of female health-care providers. In one regional hospital, efforts to expand a women's wellness centre that will increase access to reproductive care and preventative care, including cancer screening, is under way with donor support, which is a positive step considering that cervical cancer is one of the most common cancers among women in Maldives. Moreover, since 2019 the human papilloma virus (HPV) vaccination has been included in the national vaccination scheme for girls aged 10–14.

B. Sexual and reproductive health

39. The experts welcome the launch by the Ministry of Health of a national programme for reproductive health and the dedicated national strategy that has been developed with the involvement of non-governmental organizations, among others, which aligns with the relevant Sustainable Development Goal targets. Maldives has made notable progress in reducing maternal mortality, owing to better emergency obstetric care at the atoll level and antenatal care at the island level. In 2017, antenatal care coverage was high at 81.6 per cent and 95.6 per cent of births were attended by skilled health personnel. The maternal mortality ratio was 53/100,000 live births, down from 97/100,000 live births in 2003, which is commendable, although transportation remains a source of delay in accessing care, which must be urgently addressed. The experts note the high rate of caesarean sections: in the past five years, more than 50 per cent of pregnant women reportedly had a caesarean section. The frequency of its use requires proper assessment of the medical justification for such procedures.¹⁷

40. Married couples in Maldives are legally permitted to use methods of family planning but the unmet need is 31 per cent and only 14.9 per cent of married women use any modern contraceptive method.¹⁸ The experts regretted to learn that family planning services and contraception were only offered to women with spousal consent. The experts are deeply concerned about the limited availability of contraceptive information and services for adolescents, despite the national family planning guidelines, which permit access to services irrespective of marital status. Furthermore, the Health Master Plan 2016–2025 also outlines

¹⁷ See, for example, World Health Organization (WHO), "WHO statement on caesarean section rates" (2015).

¹⁸ DP/FPA/CPD/MDV/7, para. 5.

the promotion of safe sexual and reproductive health behaviours and practices among adolescents and young adults as one of its strategic priorities. However, there is an unmet need, especially for women and girls, who tend not to seek information about their sexual and reproductive health rights due to the dominant presence of male doctors, a lack of confidentiality and pervasive stereotypes that stigmatize conversations about sex. Sexually active unmarried women face greater barriers to access and only 9.8 per cent of them use a modern contraceptive.

41. Low contraceptive use and barriers to access place women and girls at risk of unwanted pregnancy, unsafe abortion, forced marriage to legitimize the pregnancy or stigmatized single motherhood. The denial of access to a full range of contraceptive information and services and the failure to remove barriers to access and to eliminate stereotypes portraying women's "natural role" as mothers to justify such denial constitutes a form of discrimination against women and girls and puts their well-being at risk.¹⁹ Stereotypical attitudes that emphasize women's role as procreators and child-bearers and limit their autonomy impede important conversations about the many risks to their sexual and reproductive health, both within the family and in the policy realm.

42. The experts noted with concern the penal provisions that make abortion a punishable crime for both the woman and the doctor involved, incurring a sentence of up to one year in prison. While a fatwa ruling was issued in 2013 clarifying the permissible grounds and time limits for abortion from an Islamic perspective, there is a general lack of information about and data on safe abortions. There are reports of unsafe abortion practices and women and girls being forced to travel overseas to obtain an abortion. Restrictive laws do not reduce the individual need for abortion but are likely to increase the number of women and girls seeking clandestine and unsafe abortions.²⁰ They fuel abortion stigma and lead to the abuse of women in need of post-abortion care.

43. Access to safe, legal and effective abortion is firmly rooted in international human rights law and is at the core of women and girls' autonomy and ability to make their own choices about their bodies and lives, free of discrimination, violence and coercion. Denial of access to the reproductive health services that women need constitutes discrimination. Comprehensive sexuality education and universal access to contraceptives are essential for preventing the incidence of unintended pregnancy.

44. The experts note with concern that between 2017 and 2019, 21 pregnant schoolgirls dropped out of school, which points to evidence of the considerable disadvantage that young girls face. This not only has a negative impact on girls' education and their socioeconomic opportunities, but also has far-reaching consequences in a cultural and legal context, where out-of-wedlock pregnancy is criminalized and stigmatized. Women and girls, especially from the outer islands, reported lacking access to feminine hygiene products and experiencing period poverty due to economic vulnerability.

C. Women using drugs

45. While drug use is a major public health concern, it is not adequately reflected in policy. The experts noted the presence of only one rehabilitation centre. There is a strong focus on a punitive approach as opposed to a harm reduction approach. The experts are concerned that female drug users are denied access to specialized rehabilitation programmes due to limits on capacity, despite the increasing vulnerability of young women to drug abuse, which signals the need for additional investment of resources.

VI. Family and culture

46. Numerous interlocutors stated that religion and culture were used to justify discriminatory patriarchal views on gender roles that were widely accepted in society. The

¹⁹ See [A/HRC/47/38](#).

²⁰ See WHO, "Abortion", fact sheet, 25 November 2021.

experts heard on multiple occasions that: “Women cannot choose for themselves”. Harmful practices in the family and in society undermine women’s and girls’ full enjoyment of their rights and freedoms. The Working Group is committed to upholding freedom of religion and belief as a human right, but regrets the increasing challenges to gender equality in the name of religion. It joins other international human rights expert mechanisms in reiterating that freedom of religion and belief cannot be used to justify discrimination against women. Maldives has legal obligations to eliminate all forms of discrimination against women and girls in family and culture.²¹ Culture is not a static or unchanging concept; viewing culture and belief as immutable hinders the full realization and development of women’s and girls’ human rights and denies their autonomy.

47. The Working Group is gravely concerned about the discriminatory provisions found in the Family Act (No. 4/2000) on marriage and family relations that are incompatible with international human rights standards. The experts commend the efforts made by the Government in undertaking a review of the Family Act in 2020 and remain hopeful that it will remove its reservations to paragraph 1 (a), (c), (d) and (f) of article 16 of the Convention on the Elimination of All Forms of Discrimination against Women. The experts were concerned about the range of discriminatory legal provisions that undermine women’s equality in relation to marriage, divorce and matrimonial assets.

48. Women’s freedom to choose whom to marry is undermined by the requirement that their legal guardian consent to the marriage. There are also certain requirements for a Maldivian woman wishing to marry a non-Muslim man, but this is not applicable when the man and woman are both Maldivian or where the foreigner is a woman marrying a Maldivian man.

49. Polygamy is legal (art. 12 of the Family Code) and subject to a registration requirement that is often not fulfilled in practice, leading to disputes, as there is no centralized marriage register and the magistrates’ courts in the islands solemnize marriage without the mandatory approval of the Registrar of Marriage. The experts were informed that many polygamous marriages were unregistered and were likely to become the cause of disputes pertaining to the legitimacy of children and inheritance. The Working Group calls for the non-recognition of this harmful practice, regardless of religion, custom or tradition.²² Polygamy is contrary to women’s and girls’ dignity and infringes on their human rights and freedoms, including equality and protection within the family.²³

50. The Family Act (art. 23) requires a divorce to be conducted in court, following the formal submission of an application involving the presence of both parties and the consent of the wife where the application is submitted by the man. However, men often initiate divorce proceeding away from the courts, notwithstanding the possibility of an economic sanction if it is not registered by a court within three days. However, according to interlocutors, reconciliation is often imposed on couples even in cases of domestic violence. The experts note with concern the discriminatory barriers facing women wishing to file for divorce, which is limited to specific grounds and, while discretion is granted to the court, women bear the burden of proof, in addition to encountering financial barriers.

51. The 2016 amendment to article 32 of the Family Act provides for the distribution of matrimonial assets only in cases where a prenuptial agreement exists. This mechanism remains unknown for many, resulting in an unequal distribution of matrimonial assets in cases of divorce. The discriminatory practice is based on the stereotype that men are the primary breadwinners and women’s contributions, pecuniary or otherwise, do not count. This causes insecurity in asset ownership for women and leads to discrimination against women in the family.

52. The experts note with concern that under the Penal Code (2014) and the Sexual Offences Act (2014), extramarital relationships and adultery are criminal offences. Section 411 of the Penal Code defines as “unlawful sexual intercourse” both “adultery” and

²¹ See article 5 of the Convention on the Elimination of All Forms of Discrimination against Women.

²² See [A/HRC/29/40](#).

²³ See joint general recommendation No. 31 of the Committee on the Elimination of Discrimination against Women/general comment No. 18 of the Committee on the Rights of the Child (2014).

“fornication” for which the penalties are a maximum of six months’ imprisonment if the person is unmarried and has intercourse with an unmarried person; a maximum of one year’s imprisonment if the person is unmarried and has intercourse with a married person; and a maximum of two years’ imprisonment if the person is married and has extramarital intercourse. The law provides for an additional punishment of 100 lashes for the offence of “unlawful sexual intercourse” based on sharia law. Article 27 (a) of the Sexual Offences Act provides that it shall be an offence for a person to commit fornication and that a person guilty of fornication shall be sentenced to 100 lashes and house arrest for a period of one to three years. The experts consider that maintaining adultery and extramarital relationships as criminal offences disproportionately impacts women and violates their human rights, as do other laws criminalizing sexual behaviour. International human rights jurisprudence has established that criminalization of sexual relations between consenting adults is a violation of their right to privacy and an infringement of article 17 of the International Covenant on Civil and Political Rights, to which Maldives is a party.²⁴

53. The experts are concerned that consensual sexual relations between persons of the same sex are an offence under the Penal Code, section 411 (a) (2), punishable by imprisonment of up to eight years, while section 411 (d) stipulates an additional penalty of up to 100 lashes under sharia law. Section 412 prohibits unlawful sexual conduct, with a penalty of up to eight years. These provisions are applicable to both men and women.

VII. Disadvantaged and marginalized groups of women

54. The Working Group heard from disadvantaged and marginalized women, including older women, women with disabilities, migrant women, women living with HIV/AIDS, women using drugs and lesbian, bisexual, transgender and intersex persons. They face multiple and intersecting forms of discrimination and a wide range of human rights violations that exacerbate the oppression and inequalities stemming from pervasive gender-based discrimination in the country. While some measures have been adopted to address the needs of certain groups, such as people living with HIV/AIDS or persons with disabilities, the experts note the lack of recognition of intersectional discrimination in those policies. Furthermore, consensual relations between women are criminalized.

Women deprived of liberty

55. During the visit to Maafushi prison, the only prison facility for women in the country, the experts observed that several women, including foreign nationals, were serving sentences or were in pretrial detention for alleged drug abuse and drug trafficking. The experts welcome efforts to provide basic services, including menstrual hygiene products and health care, and the introduction of videoconferencing with family members since the COVID-19 pandemic. However, they note with concern the limited time for family calls and inadequate access to lawyers and specialist doctors. The experts were concerned about the lack of appropriate rehabilitation services, including counselling and skill development programmes and the limited opportunities for income generation. Procedures and formal complaint mechanisms to address cases of inter-inmate harassment, coercion or violence should be established.

56. The experts are deeply concerned that foreign women detainees and prisoners do not have adequate access to interpreters, lawyers, their family or embassy contacts. They are forced to undergo prolonged pretrial detention without knowing the status of their proceedings. The experts commend the adoption of prison protocols for the treatment of women prisoners, but note the challenge to their proper enforcement and the lack of implementation of the United Nations Rules for the Treatment of Women Prisoners and Non-custodial Measures for Women Offenders (the Bangkok Rules).

57. The experts note that women with children who left the country to join Da’esh and have been subjected to human rights violations and abuses (prior to leaving the country and during their detention upon return) and exposed to extreme acts of violence, including by terrorist groups abroad, need tailored strategies for their rehabilitation and reintegration,

²⁴ See [A/HRC/29/40](#).

including of their children, and non-discriminatory measures to address their specific needs and minimize the risks of stigmatization and exclusion upon their return.²⁵

VIII. Gender-based violence against women and girls

A. Prevalence, manifestations and responses to gender-based violence against women and girls

58. The experts are deeply concerned by testimonies and reports that indicate that there is a high prevalence and acceptance of gender-based violence, including online, within Maldivian society. Data indicate that one in three women experience some form of violence in their lifetime.²⁶ Several laws have been adopted to counter the most extreme form of discrimination against women, but their proper implementation is lacking. Data regarding the prevalence of gender-based violence should be used as the basis for policymaking.

59. The experts welcome the establishment of special police and prosecution units to handle cases of gender-based violence and to conduct community outreach through neighbourhood watch programmes, including campaigns with a special focus on engaging men. Although reporting of cases of gender-based violence has increased, the experts heard concerns from interlocutors about how complaints were mishandled, the length of the process and the lack of legal sanctions for perpetrators in accordance with the law.

Domestic violence

60. Article 4 (a) of the Domestic Violence Prevention Act (2012) defines domestic violence and establishes a number of objectives, including providing adequate protection to victims of domestic violence and offering legal redress. It defines key roles for the police, health professionals and social workers. The Act provides that a victim has the right to obtain a protection order, a custody order, a residence order and a compensation order. If applicable, the right to file a criminal complaint is also enshrined in the Act. However, the experts remain concerned that the failure to prescribe criminal penalties for domestic violence has weakened prevention, redress and the overall response of the legal system to such a serious crime. The mandate of the Family Protection Authority is to oversee and coordinate the response to domestic violence in the country.

61. The experts welcome efforts to combat domestic violence through awareness-raising activities, including the campaign *Geveshi Gulhun*, which was launched in 2020. Additional measures are needed to ensure the integration into society of victims and survivors, such as priority in housing and employment, together with capacity-building programmes on the law, gender sensitivity and the prompt investigation and punishment of crimes of gender-based violence by police officers, lawyers and judges. The experts note with deep concern that in some cases, police officers view sexual and domestic violence as personal disputes in which they should not interfere and often fail to take any action in such cases, despite being aware that the violence has taken place.

Sexual violence

62. The first amendment to the Sexual Offences Act (2021) removed some of the discriminatory evidentiary requirements for proving rape, criminalized marital rape in all circumstances, made the use of rape kits mandatory for collecting evidence and adopted victim-centred, trauma-informed approaches for investigating cases of rape. The experts were informed that many women and girls do not report sexual violence for fear of failing to meet the requirements and the burden of proof. In addition, according to several interlocutors, the authorities compile evidence implicitly using gender stereotypes and blaming the victim by examining her prior sexual behaviour.

²⁵ See [A/74/677](#), annex V.

²⁶ UNFPA, “Gender-based violence during COVID-19 pandemic in the Maldives: an analysis of reported cases” (2021).

63. The experts are concerned by reports that at least 25 per cent of women experience sexual violence from an intimate partner in their lifetime and that the situation became worse during the COVID-19 pandemic. Many cases of sexual violence against women go underreported due to the strong cultural stereotypes of an obedient and submissive wife.

64. The experts note the lack of publicly available data on reporting, prosecution and conviction for sexual offences, long delays in rape trials and a lack of support services for survivors. Only 20 survivors accessed services from domestic violence shelters in 2021 and 3.7 per cent (14 out of 375 women) received legal assistance in cases of gender-based violence. Interlocutors noted recent cases of women activists, especially those who are politically active and/or challenging the cultural norms, being victims of revenge porn, sexual assault and sextortion. Women who support other women and girl victims or survivors of violence are denounced by religious clerics for being “secularists” or “apostates”, which in some cases has resulted in cyberbullying and even death threats.

Child marriage

65. Although the official number of child marriages has declined, the experts received information from several interlocutors about unregistered child marriages being carried out by religious clerics and that they have been on the rise in recent years. The experts note the prohibition within the Child Rights Protection Act (2019); however, the prevalence of this harmful practice can be explained by increasing religious fundamentalism and made worse by precarious socioeconomic situations. Child marriage is a human rights violation and a harmful practice. It robs girls of their agency to make decisions about their lives, disrupting their education, making them more vulnerable to violence, discrimination and abuse, and preventing their full participation in economic, political and social life.²⁷

Female genital mutilation

66. The experts are concerned by the absence of national legislation prohibiting female genital mutilation. In Maldives, 13 per cent of women aged 15–49 have been subjected to female genital mutilation, mainly in the form of circumcision.²⁸ Although there has been a decline in the practice among younger, educated girls, due to an effective public health intervention, the experts are deeply concerned about reports from interlocutors regarding attempts by fundamentalists to revive it as a religious requirement.

B. Access to justice for victims and survivors

67. The experts are pleased about the prioritization of measures to increase access to justice, redress and effective remedies for women and girls in the National Gender Equality Action Plan, including specific indicators to increase the percentage of women judges and the number of cases of gender-based violence reported and prosecuted.

68. The experts are concerned about the general lack of awareness among women of their legal rights and their lack of access to enforcement mechanisms, as well as the shortfall of women lawyers in the islands. In order to ensure women’s effective access to justice, there is a need to address the inequalities and biases that exist at the legal, institutional, and sociocultural levels.²⁹ Specific measures to increase access, minimize delays, build the trust of victims and survivors in the system and sensitize and equip the relevant authorities to properly respond to complaints need to be implemented.

69. While online trials introduced during COVID-19 have continued and facilitate greater access and transparency, it is worrisome that women have limited trust and confidence in the judiciary, owing to a range of structural barriers and pervasive gender stereotypes. These

²⁷ See OHCHR, “Child and forced marriage, including in humanitarian settings”.

²⁸ World Bank, “Female genital mutilation prevalence (%) – Maldives”, DataBank.

²⁹ According to general recommendation No. 33 (2015) of the Committee on the Elimination of Discrimination against Women, these include discriminatory or insensitive legal provisions, the existence of gender stereotypes in society and the judiciary, women’s economic dependence and responsibility for children, and gender bias in the system.

include revictimization, high evidentiary burdens, victim-blaming, limited enforcement of protection orders, impunity for perpetrators of gender-based violence, lack of confidentiality and lengthy judicial proceedings.

IX. Conclusions and recommendations

A. Conclusions

70. Maldives is at a tipping point as a fragile democracy in the face of rising religious fundamentalism that is holding back women and girls and impeding the achievement of gender equality. If the country is to develop and prosper as a nation, it must harness the potential of women and girls rather than allow itself to be bound by societal perceptions and rules that relegate women to subordinate roles. Women and girls have a right to be free and be heard, to live with dignity and enjoy their human rights without fear. Above all, they are entitled to be equal partners in development and to contribute to the life of the country, as well as to their own futures, through active participation in all spheres of life.

71. Maldives has shown outstanding leadership in the global arena by exposing and calling the attention of the international community to address the threats posed by climate change. As an island State vulnerable to its negative impacts, the leadership of the country can be strengthened by adopting a more gender-specific lens in its own laws, policies and strategies, and calling global attention to the heightened risks faced by women and girls everywhere due to climate change and precarious environmental conditions. Maldives can provide exemplary leadership by taking all possible measures to promote the active and meaningful participation of women and girls in climate change decision-making and disaster and emergency management processes.

72. Maldives has made progress in introducing new laws and institutional measures focusing on gender equality. The conceptual framing of key legal concepts such as “discrimination”, “substantive equality”, “gender-based violence” and “structural inequality” should be expanded to respond to the realities of women’s lives. The adoption of an intersectional approach will pave the way for gender-responsive laws and policies that effectively address the multiple and intersecting forms of discrimination experienced by diverse subgroups of women and girls in situations of vulnerability.

73. While formal commitments have been made to advance gender equality and address harmful gender stereotyping, the inadequacy of economic opportunities for women and the pervasive gender-based violence are not being systematically addressed by duty bearers. There has been a noticeable increase in religious fundamentalism based on an ideological interpretation of religious and social norms that is espoused by a minority and envisions a subservient role for women in the family and in society, which is not in keeping with the country’s matriarchal roots and culture. Religion and culture can and must be a source for women’s and girls’ individual empowerment and enhanced contributions to society and this can be achieved by the adoption of a rights-based approach to development and by prioritizing respect for women’s basic human rights and autonomy.

74. Maldives has historically had a very vibrant civil society, with many vocal proponents of democracy, press freedom and women’s rights, but their efforts to advance human rights and gender equality through peaceful means have often been marred by reprisals. It is imperative that human rights activists, including journalists, elected female officials and policy advocates, are not harassed or criminalized for the important work that they do and that gendered reprisals of a sexual nature, of which women are often the targets, are deemed unacceptable. Many civil society and women’s rights organizations, as well as female community leaders, play a crucial role in fulfilling the immediate needs of women and girls and must be engaged as partners.

75. An adequate standard of living and equal enjoyment of social and economic rights, including to education, health, marriage and property, are necessary for women to live a life free from discrimination and violence. The absence of opportunities to earn a livelihood and gain economic independence and security through decent, paid jobs and equal pay for work of equal value, combined with harmful stereotypes about women's expected role in society and in relation to procreation, contribute in large part to women's disproportionate burden of unpaid care and domestic work at the expense of their economic security and opportunities for advancement in all other spheres.

76. Women's and girls' non-discriminatory access to health care, including sexual and reproductive health services, goods and information, must be guaranteed as a matter of ensuring their autonomy in all personal matters, preventing their subordination in family and cultural life and promoting their health and safety. Harmful gender stereotypes about women's role in the family and society must be combated with positive and empowering narratives that recognize women as equal citizens.

77. Harmful discriminatory practices, including child marriage and female genital mutilation, are prevalent in Maldives and are being promoted by fundamentalist actors in the name of religion. Gender-based violence is pervasive and, despite the prevalence of certain laws aimed at preventing and punishing acts of violence, victims and survivors face multiple legal, practical and financial barriers to accessing justice. Stereotyping and victim-blaming are common among law enforcement agents and in society, which contributes to impunity for such crimes.

78. Gender equality must be seen as a collective goal and a national priority, with the Government and all stakeholders concerned, including civil society, female leaders and ordinary women across the country who are the most marginalized and in situations of vulnerability, working in partnership and without fear of reprisals to eliminate all forms of sex- and gender-based discrimination in law, policy and practice, through the equal and meaningful participation of all. The national gender equality strategy and gender equality measures and strategies adopted in different sectors should receive adequate investment and political support, and the supporting institutions for those strategies must be strengthened, better coordinated and expanded from the local to the national level.

79. As many interlocutors told the experts "now is the time for hope". Maldives has already expressed a strong commitment to gender equality in law and policy. What is urgently needed is the full and speedy implementation and resourcing of those laws and policies, combined with a counter-narrative that elevates women and girls as equal citizens and bearers of human rights. All remaining legal barriers to women's equal status must be amended through a systemwide legal reform agenda and compliance with international obligations, further strengthened through the speedy removal of any reservations to the Convention on the Elimination of All Forms of Discrimination against Women.

B. Recommendations

80. With regard to legal, policy and institutional frameworks, the Working Group recommends that the Government:

(a) Ratify the remaining key international human rights treaties, including the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families, the International Convention for the Protection of All Persons from Enforced Disappearance and the ILO Domestic Workers Convention, 2011 (No. 189) and Violence and Harassment Convention, 2019 (No. 190);

(b) Lift the reservations made concerning article 16 (1) (a), (c), (d) and (f) of the Convention on the Elimination of All Forms of Discrimination against Women;

(c) Expedite the reform of its family law, with a view to bringing it into full conformity with the Convention on the Elimination of All Forms of Discrimination against Women;

(d) Ratify or enact comprehensive legislation, which could follow the principles of the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence (the Istanbul Convention), which is open to universal ratification, to prevent, combat and deal with all forms of gender-based violence, including domestic violence, ensuring that women benefit from due protection and have access to medical, legal and psychosocial services;

(e) Strengthen the Ministry of Gender, Family and Social Services, by providing it with sufficient human and financial resources and take steps to enhance interministerial coordination to accelerate progress towards the achievement of the goals and targets outlined in the National Gender Equality Action Plan;

(f) Ensure the participation of women, including the most marginalized, at all levels in the design, implementation, monitoring and evaluation of such laws and policies;

(g) Collect gender-segregated data and use it to develop gender-responsive policies, including gender-responsive budgets at all levels;

(h) Establish impact assessment mechanisms for the National Gender Equality Action Plan and ensure that it is adequately monitored and evaluated, with a view to informing further policies;

(i) Bring the Human Rights Commission into compliance with the principles relating to the status of national institutions for the protection and promotion of human rights (the Paris Principles) and ensure it has sufficient human, technical and financial resources to implement its mandate in line with the Paris Principles.

81. With regard to public and political life, the Working Group recommends that the Government:

(a) Increase the representation and meaningful participation of women at all levels of government, including the municipal, county and State levels, particularly in managerial positions, with a view to achieving gender parity;

(b) Ensure that women elected to the women's development committees are adequately equipped with resources and are engaged meaningfully in all decision-making processes, including in relation to their budgets;

(c) Investigate acts of intimidation and harassment of activists and human rights defenders to bring perpetrators to justice and compensate victims;

(d) Recognize the important and legitimate work of women's and girls' organizations in advancing human rights and fundamental freedoms, and ensure the necessary legal protection to women human rights defenders, in accordance with international standards. Allocate public funding to support such organizations and establish effective mechanisms for the cooperation of central and local authorities with them throughout the country;

(e) Consult younger generations of women, particularly high school and university students, to ensure that their concerns are taken into account in the design of policies and strategies affecting their lives, and ensure a nurturing environment for girls' activism and collective action.

82. With regard to economic and social life, the Working Group recommends that the Government:

(a) Promote the effective participation of rural women in planning and decision-making on the management of natural resources;

(b) Increase women's participation and decision-making in relation to climate change adaptation and risk mitigation initiatives;

(c) Introduce targeted intersectional and gender-responsive measures to create more opportunities for women to gain access to formal employment and livelihoods of their choice;

(d) Amend the Employment Act to apply the public sector policy on maternity and paternity leave to the private sector;

(e) Ensure that women migrant workers are enrolled in and equally protected under social security, health insurance and retirement pension schemes;

(f) Promote the equal sharing of family and domestic responsibilities between women and men, increase the number of affordable childcare facilities and introduce flexible working arrangements for both women and men;

(g) Introduce additional and targeted measures to ensure a work-life balance for women, especially for those who are primary care givers, including by introducing flexible working arrangements, ensuring access to childcare facilities and undertaking awareness-raising activities to encourage the use of parental leave by fathers;

(h) Encourage women and girls to choose non-traditional fields of education and career paths, in particular in science, technology, engineering and maths and information and communications technology;

(i) Guarantee a comprehensive, scientific, human-rights based and age-appropriate comprehensive sexuality education for all children;

(j) Integrate human rights education at all levels of education for girls and boys, specifically addressing women's and girls' rights and gender equality issues, including discrimination and violence against women and girls;

(k) Support research on gender equality and violence against women and girls, and introduce university courses and specialized degrees and programmes on these issues.

83. With regard to health rights, the Working Group recommends that the Government:

(a) Decriminalize abortion and ensure that legal abortion is accessible in practice by removing existing barriers, including through the proper monitoring and regulation of the practice of conscientious objection;

(b) Ensure full access to reproductive health services, such as confidential access to affordable, modern contraceptive methods and family planning services, for all women and girls, including adolescents and those in situations of vulnerability, irrespective of their marital status. Comprehensive sexuality education should be included in school curricula in accordance with international standards;

(c) Ensure the accessibility of menstrual hygiene products by eliminating the value added tax rates on essential health commodity products, or subsidizing them and providing them for free to those in need.

84. With regard to family and cultural life, the Working Group recommends that the Government:

(a) Amend the Family Law to ensure that men and women have equal rights in entering into marriage and in divorce, including equal grounds and procedures for obtaining a divorce, as well as equal distribution of marital property upon divorce, including land;

(b) Prohibit polygamous marriages;

(c) Decriminalize adultery and consensual sexual relations outside marriage, and abolish cruel, degrading and inhuman punishment, including flogging;

(d) Take measures, including legislative and educational measures, to ensure that societal culture is inclusive and values the contributions of all, including women and girls of diverse sexual orientation and gender identities and those with disabilities;

(e) Launch public campaigns to counter harmful narratives that perpetuate discriminatory gender stereotypes and incite violence, including when it is done in the name of religion;

(f) Involve the media, local communities and religious leaders in the creation of a culture of gender equality and respect for human rights.

85. With regard to gender-based violence, the Working Group recommends that the Government:

(a) Collect disaggregated data and conduct coordinated studies on gender-based violence as a basis for policy and raise awareness about all forms of gender-based violence;

(b) Criminalize domestic violence and harmful practices, including female genital mutilation;

(c) Allocate sufficient funds to enable the relevant institutions to implement preventative and protective measures on gender-based violence, especially in rural areas;

(d) Increase the number of female police officers trained to investigate cases of gender-based violence and support victims. Provide continuous specialized training on gender-based violence for all the relevant authorities, including the police, health services, social services and the judiciary;

(e) Improve counselling, reproductive health and legal aid services for victims and survivors of gender-based violence, sexual violence and domestic violence, including psychological and psychiatric services and access to shelter for the period needed, in particular for women and girls in vulnerable situations, such as minority women, older women, women and girls with disabilities and migrant women;

(f) Ensure the integration into society of victims and survivors through, for example, preferential access to municipal housing assistance and employment;

(g) Address the barriers to women and girls accessing justice, establish accessible complaint mechanisms for reporting domestic violence, including hotlines, create sufficient shelters and ensure that complaints are duly investigated, perpetrators sanctioned and victims given full reparation;

(h) Take measures, including legislative and educational measures, to prevent and address sexual harassment in education and public institutions, including revenge pornography and online sexual abuse of girls, in cooperation with non-governmental organizations and girls' networks.

86. With regard to disadvantaged and marginalized women and girls, the Working Group recommends that the Government:

(a) Adopt sustained strategies and measures to address the needs of marginalized groups of women and girls, ensuring a human-rights based and intersectional approach;

(b) Implement the United Nations Rules for the Treatment of Women Prisoners and Non-custodial Measures for Women Offenders (the Bangkok rules);

(c) Adopt tailored strategies for the repatriation, rehabilitation and reintegration of Maldivian women and children or families of foreign fighters who joined Da'esh, and consider undertaking thorough individual evaluations from a human rights perspective.

87. The Working Group also recommends that the country's technical and financial partners, including the United Nations, ensure effective harmonization of the cooperation framework with a view to avoiding the fragmentation of actions and project approaches that do not guarantee the sustainability of programmes promoting gender equality and the full empowerment of women and girls. They should also apply an intersectional gender lens across their programmes and take a holistic approach to promoting gender equality.