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**moving from aspirations to impact**

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**NGO Shadow Report on CRC  
Maldives**

a Supplementary Report  
to the Combined First and Second Periodic State Report



co-ordinated by Hama Jamiyya and Care Society  
with funding from UNICEF  
August 2006

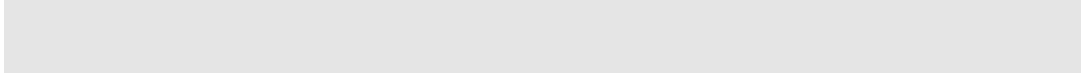
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## Introduction

The NGO Shadow Report on the First and Second Combined State Report on the Implementation of CRC in the Maldives, a critical review of the State Report undertaken by Hama Jamiyya and Care Society, drawing upon consultations with children and community leaders in selected fieldwork areas, and the first-hand experiences and collective experience of a number of civil society members. Available data and secondary resources on children's issues in the Maldives, related to the CRC, and child rights in the Maldives were consulted.

## Objectives

The objectives of this collective effort are:

- To provide the UN CRC Committee with information supplementary to the State Report,
- To facilitate full and effective implementation of CRC in the Maldives leading to significant and substantive changes with regards to the rights of the child in the next five years,
- To motivate local NGOs to monitor CRC implementation, and hold the state responsible for an accountable, inclusive, result-oriented and rights-based approach to CRC implementation, and
- To contribute to making CRC-related aspirations a reality.

## Report Structure

The main body of the NGO Shadow Report identifies issues and gaps in the State Report and provides issue-specific recommendations.

Annexes to complete the picture are included as follows:

- Annex 1: News and Views in the Media
- Annex 2: Records on Minors in Detention  
(courtesy of Detainee Network)
- Annex 3: Profiles of Hama Jamiyya and Care Society

## Acknowledgements

Aishath Velezinee and Ahmed Muizzu of Hama Jamiyya, and Fathimath Afiya of Care Society, co-ordinated the project, and drafted the NGO Shadow Report. Fathimath Nizam, Aishath Looba and Aminath Saleem of Care Society organized and facilitated the focus group discussions, and prepared the fieldwork report. Muha contributed the cover photo.

The Ministry of Gender and Family provided the State Report. UNICEF provided the funding and encouragement.

## Acronyms

CRC	Convention on the Rights of the Child
CPA	Child Protection Authority
CPS	Child Protection System
LDC	Least Developed Countries
URC	Unit for the Rights of the Child
MCHRD	Maldives Centre for Human Rights and Democracy
MGF	Ministry of Gender and Family
MOU	Memorandum of Understanding
MPS	Maldives Police Services
NCPRC	National Council for the Protection of the Rights of the Child
SOS	Strength of Society

## General Comments on the State Report

1. The most striking feature of the State Report, the Combined First and Second Periodic Report (hereafter referred to as State Report) is its numerous references to ambitious aspirations of the Government with regard to full implementation of CRC.
2. More disappointing is the concurrent acknowledgement that little substantive change had been achieved in the ten years under review. Whilst good intention is to be commended, it is concrete action that would lead to substantive change.
3. It is noted that the State Report:
  - Is descriptive rather than analytical;
  - Focuses on proposed policies and strategies (Aspirations) of the Government;
  - Reflects that the measures adopted and activities undertaken (Action) are disproportionately limited in relation to the high aspirations expressed;
  - Provides insufficient information on substantive developments as a result of measures taken (Impact);

4. Looking at legislation to conform to CRC, for example:

Paragraph 26 of the State Report reports that, “The Maldives has undertaken measures to ensure that its national legislation conforms to the principles and provisions of the Convention”.

Paragraph 27 reports Law 9/91, “derived directly from the provisions stipulated in the CRC” and goes to note that “however, the legislation may need to be revised in order to ensure that it is more inclusive and that it promotes the rights of children in the Maldives”.

Paragraph 28 reports that a “detailed review of the application of national laws and Islamic Sharia’ within the framework of the implementation of the Convention was conducted in 2000”. It further states that “the Government, with UNICEF support, is planning to undertake a project to address these concerns in 2006”.

Paragraph 35 notes that “a legal review of laws pertaining to matters related to children” will be carried out in 2006. It also notes that, “positive measures in order to make the Convention operative within the domestic legal system are also ongoing”. No details are provided.



#### COMMENT

Law 9/91 was enacted to incorporate CRC into domestic law. Following the initial state report, the CRC Committee had recommended the law be reviewed for full conformity with CRC.

Paragraph 26 of the State Report ignores this fact. Paragraph 27 gives the impression that it is not definitely understood that Law 9/91 needs to be amended.

Paragraph 28 mentions a study undertaken in 2000, the recommendations of which is yet to be addressed. No details of the findings or recommendations are provided.

Paragraph 35 mentions a proposed new study of all laws relating to the child.

5. Two issues of great concern are that:
  - i. As noted throughout the State Report, the Government is yet to take action to bring domestic legislation in line with CRC, despite the recommendation of the UN Committee in 1998; and
  - ii. There is a huge gap between existing legislation and enforcement of it in the spirit of the CRC.
6. While there is mention of various committees, they are more ‘formal’ than ‘committed’, and their roles are not needs-oriented.
7. An effective mechanism to monitor progress in all areas covered by the CRC does not exist, as reflected by the lack of supportive data and issue-specific information on CRC implementation.

#### Reporting Practice

##### **Paragraphs 3 and 4 of the State Report**

8. “Limited human resources”, the main reason given in the State Report for the prolonged delay in reporting, is a feeble excuse. Ten years allows time for human resource development, and if that is not sufficient, the need for international expertise could have been identified earlier.
9. On the issue of reporting, there is no evidence that the Government made any extensive attempts to use available local expertise.
10. It is noted that, while international expertise is required where there is a lack of or limited local expertise, the practice of using international consultants with a mandate to collect all required data and information, assess the ground realities, and draft the report in a short period has many constraints. This is especially ineffective when there is no systematic monitoring and very little data or documentation is available. The consultant is then expected to prepare the report based on a swift round of meetings and discussions with stakeholders. The onus then is to collect information on as many activities as

possible that can comfortably fit under the umbrella of CRC and present this as CRC implementation.


11. Hama Jamiyya and Care Society were invited to join the Steering Committee to prepare the State Report. However, the Steering Committee was set up to coincide with the visit of the Consultant to draft the State Report. There was little time for preparation and the NGOs in the Steering Committee were not involved in a substantive manner in shaping the final report.

## Recommendations

12. It is important that an effective, independent, national system for monitoring and detection be developed and co-ordinated. As the Government does not have the resources and expertise in all Atolls and Islands, existing and active NGOs and CBOs in the atolls and islands may be utilized for the purpose following training and sensitization.
13. Whereas the existing system has not been efficient in seriously bringing about substantive changes in protection of children, the Government needs to re-think strategy and develop a culture-sensitive way of examining and achieving child rights through a rights-based approach and within the concept of indivisibility of rights.
14. The National Machinery for implementing CRC should strengthen their functioning, and:
  - i. Utilise existing committees through a more focused and result-oriented approach.
  - ii. Mandate and require members of the National Council for the Protection of the Child, as focal points, to represent their respective ministries/ departments/ institutions, rather than their individual selves. As such they would be required to work beyond their participation in meetings, to link their respective institution with CRC, and monitor CRC implementation within their sectors.
  - iii. Define clearly the responsibilities of all partner institutions<sup>1</sup> and stakeholders and communicate these responsibilities to the relevant institutions.
  - iv. Monitor and guide partner institutions and stakeholders to realise and achieve CRC commitments.
  - v. Develop in-house CRC expertise and reporting skills.
  - vi. Collect issue-based qualitative data in addition to statistics.
  - vii. Share the State Report as well as recommendations of the UN Committee with all stakeholders including civil society organisations.
  - viii. Establish the obligation of all stakeholders to implement CRC.
  - ix. Sign MOUs with all organisations working on children's issues to ensure responsible partnerships.

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<sup>1</sup> Institution here refers to various government ministries, departments etc.

15. The Government should strengthen the National Machinery (currently, Ministry of Gender and Family) through:
- i. Adequate funding and human resources for child protection and CRC implementation.
  - ii. A needs-assessment of human resources followed by appropriate training and staffing, and the provision of adequate funds for protecting the child.
  - iii. Reforming the practice of giving out jobs and distributing job titles based on political affiliations and for political gain;
  - iv. Reconsider wastage of valuable resources within the Government by the high number of civil servants, often unnecessary and inappropriate for the job; and instead recruit, train and utilize staff.
  - v. Make better use of available in-country human resources.
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## I. General Measures of Implementation

### Articles 4, 42 and 44.6

#### Reservations

#### Paragraphs 21 to 24 of the State Report

16. The Constitution of the Maldives do not categorically stipulate that all Maldivians should be Muslims, but asserts that the state will be based on the principles of Islam. Thus, it may be argued that there is no constitutional bar to withdrawing the reservations to Articles 14 and 21 of CRC.

Article 1 of the Constitution:  
"The Maldives shall be a sovereign, independent, democratic republic based on the principles of Islam, and shall be a unitary State, to be known as the Republic of Maldives."

Article 7 of the Constitution:  
"The religion of the State of the Maldives shall be Islam."
17. A Government-commissioned (UNICEF funded) consultant to review CRC application in the Maldives, Professor Dr. M. Said Eldakak, recommended in 2000, that being a 100 percent Muslim state did not bar the removal of reservations and fully implementing CRC in the Maldives.
18. Although the Eldakak report, specifically reviewed the three disputed issues – adoption, freedom of opinion and religion, and parental rights to guide children – and recommended no bar to legal reform taking these areas of CRC into consideration, the State has not shown a serious and/or active interest to remove reservations. Further, the State Report fails to explain a decade of inaction on the issue, but transfers state responsibility for removing the reservation to the Constitutional Assembly.
19. The Constitutional Assembly was set up in 2004, for review of the Constitution. The amendments proposed by the State (specifically the President) to the Constitutional Assembly, does not include changes to the sections in the Constitution which the State Report notes as a bar to removing the reservations on CRC. Further, whilst the Minister of Gender and Family and the Director of Child Protection Authority, they did not voice any views nor lobby for constitutional change enabling full implementation of CRC.
20. The Constitutional Assembly debates on fundamental rights which have now come to a close and is at drafting stage, holds little promise that the new Constitution would be more progressive in permitting CRC reservations to be withdrawn, i.e. if they cannot be withdrawn with the Constitution as it is now.

21. The current Constitution itself was amended and came into force on 1 January 1998, after the Maldives had joined CRC.

**Conforming Legislation, Policies and Practices**  
**Paragraphs 26 to 28 of the State Report**

22. Except for the extension of the age of the child from 16 to 18 years, there has been no amendment to the Law on the Protection of the Rights of the Child (Law 9/91).
23. Ten years since the UN Committee recommended legislative reform to fully incorporate CRC into domestic law, and half a decade since a review of CRC application in the Maldives by Professor Dr. M. Said Eldakak, international expert and Islamic scholar, the recommendations to fully harmonise domestic law with CRC are yet to be addressed.

**Paragraph 29 of the State Report**

24. Refer to comments on paragraphs 113 to 115.

**Paragraphs 30 to 35 of the State Report**

25. Whilst regulations favour rehabilitation and reintegration for less serious offences and incarceration only for serious criminal offences, the lack of a juvenile detention facility as required by the regulation is non-existent. Thus, juvenile offenders are kept either in Dhoonidhoo where criminal detainees and political prisoners are housed, during investigation. The difference between adults and juvenile detainees are that adults are housed in cells while juveniles are kept in tents. Upon sentencing they are transferred to the regular jail for adults or transferred home to house arrest.
26. Use of Presidential Decrees and Administrative Regulations of various government agencies in place of legislation is undemocratic and as such unacceptable practice that has become widespread as the government rush to fill the gap in legislation.
27. The State Report lacks information on what actions in the National Criminal Justice Action Plan 2004-2008 has been implemented.

**Status of Convention in Domestic Law**  
**Paragraphs 36 and 37 of the State Report**

28. There is no provision in the Constitution or domestic legislation for CRC to be directly invoked before the Courts and applied by national authorities, nor for the recognition of the rights set forth in the CRC beyond its incorporation into domestic law, i.e. Law on the Protection of the Rights of the Child (Law

9/91). In the event of a conflict with the national legislation, national legislation has supremacy.

## Remedies for CRC-Rights Violations

### **Paragraph 38 of the State Report**

29. The remedies noted here have proved to be far from effective. Child sexual abuse remains high, and child victims of sexual abuse rarely approach the protection services for assistance. By the time cases come to attention, it is often too late, for example: the child is pregnant. Rarely are perpetrators convicted.
30. Without the genuine will and full support of the Government as a whole and other partner agencies, and the adequate human and financial resources to address issues, the 'available' remedies are not effective.

## National Strategy for Children

### **Paragraphs 39 to 41 of the State Report**

31. The National Council for the Protection of the Rights of the Child (NCPRC) consist of one representative from each of eight government ministries/institutions (Ministers and other high level officials), and two members of the People's Majlis (Parliament). As such, it is not an "independent" body to monitor Government's implementation of the Convention.
32. The NCPRC do not monitor child rights, but convenes when summoned by the Ministry of Gender and Family, to discuss issues the Ministry tables.

## Mechanisms for CRC Implementation and Monitoring

### **Paragraphs 42 to 52 of the State Report**

33. The January 2006 restructuring of the Ministry of Gender and Family is, without the allocation of appropriate human and financial resources, a cosmetic change and would have little positive impact on the implementation or monitoring of the Convention.
34. There is a danger that the proposed Child Protection Centres in the Atolls will become paper entities without the proper human and institutional resources for the proper functioning of such units.
35. At the time of writing this report, the Family and Child Protection Authority which has been mandated the main tasks of child protection both through legislation and in practice, consists of only ONE staff – the Director, who as a presidential appointee to the Parliament is a full time parliamentarian. The Parliament and Constitutional Assembly both of which she is obliged to attend sit during official working hours, four days a week. Given this, it is

impossible for due seriousness and time to be given to the work of the Child Protection Authority.

36. There is no functional Multi-Sectoral Working Group on Children. Such a group got started to work on issues identified at a UNICEF meeting in 2005, but has since ceased functioning.

### **Independent Body to Promote and Protect Child Rights Paragraph 53 to 57 of the State Report**

37. There is no systematic, comprehensive, gender disaggregated data collected to monitor children's conditions and rights to the extent required by the Convention.
38. One major constraint in compiling the Shadow Report is the lack of transparency within government and elsewhere, and non-accessibility to information in general.
39. The Human Rights Commission established by Presidential decree on 10 December 2003 went defunct when the President failed to establish a Commission within the period stipulated in the Human Rights Commission Act 2005 (Law No. 1/2005).
40. Preparations to appoint a new Commission with legal status is underway following new legislation ratified in August 2006. In the meantime, what remains is an informal "Commission" consisting of two of the original nine members (the seven other former members, including the Head of the Commission, resigned over time for various reasons) and a secretariat without a Secretary-General (the former Secretary General was appointed Deputy Minister of Planning and National Development).
41. The Human Rights Commission, even when fully functioning, was mainly a reactive body rather than a proactive body lobbying for human rights protection and promotion. This may have been due to their strict mandate when they were formed through Presidential Decree.

### **Systematic Data Collection and Research Paragraphs 58 to 68 of the State Report**

42. The data mentioned in paragraph 65 of the state report is on children in conflict with the Law, and those case referred to the Ministry of Gender and Family by parents and guardians requesting their intervention.
43. Media coverage based on the information disseminated by URC shows, the Child Rights Unit focuses more on "policing" children than on promoting children's rights or protecting children.

44. Thus, the general perception amongst the public – both children and adults – is that the Unit for the Rights of the Child (now Child Protection Authority and Child Protection Services) are the “children’s police”, places to take children who are “disobedient” and “bad”. This perception is strengthened due to lack of information on remedies provided, and prosecution and conviction rate of child abusers.
45. Cases where children themselves actually approach child protection services are negligible.

**Juvenile crime issue needs to be addressed**

20 November 2003

MALE, Nov 20 (HNS) -- Recent statistics show that the number of crimes committed by minors still has not decreased. Rather, figures show that the juvenile crime rate has actually increased, which is a case for concern.

A Children’s Unit was set up by the government with a view to improving the lives of children, and protecting their basic rights.

Statistics show that up to August this year, some 324 cases involving 439 children were referred to the Children’s Unit. Most crimes involved flaunting of law (142 cases involving 157 children), misbehavior (48 cases relating to 62 minors) and substance abuse.

The average age of children breaking the law for the first quarter of the year was 15.5 years while even for the second quarter, the average age did not go above 15 years, according to the Children’s Unit. The average age of children breaking the law combined for both quarters is 15.8 years.

Juveniles committing crimes are of both sexes, and while earlier, crime rate among children was more pronounced among those who did not go to school, offenders now include a lot of schoolchildren as well.

Of the 110 children involved in 100 cases during the first quarter of the year, 42.7 percent were schoolchildren. Some 66.4 percent were children from intact families, as against earlier beliefs that young offenders mostly came from broken families. However, this does not take into account the number of children coming from dysfunctional families which may require specific research.

Of the 47 children involved in 42 cases during the second quarter, 51.1 percent were schoolchildren, while 70.2 percent offenders were from intact families.

Short-term and long-term measures are needed to address children’s rights and issues, as well as their upbringing, self-development, discipline, education, health and wellbeing, and recreational opportunities.

If we are not able to stifle crime rate among children, we may not only be destroying a generation, but the country’s future as well. This does not bode well for Maldives.



**115 cases concerning children filed over four months**

14 January 2004

MALE, Jan 14 (HNS) -- Some 115 cases concerning children have been reported to the Children's Rights Unit over past four months, the Social Security Ministry revealed.

The ministry compiles a report on the cases referred to the Children's Rights Unit, which operates under the ministry, once every four months. For the months between Sept to Dec 2003, cases referred to the unit involve 186 children -- 136 boys and 50 girls.

Most of the cases, 44, involve breaking of laws and regulations by children. This involves 48 children whose average age is 15.4 years.

In addition, 23 cases concerning family problems, 17 cases of child abuse, and 14 cases involving education of children were referred.

Further, five cases involving drug abuse and nine cases concerning indecent behavior were also reported.

<http://www.haveeru.com.mv/?page=enqdetails&id=2770>

## Civil Society Partnerships and Mechanisms to Monitor Progress

### Paragraphs 69 to 76 of the State Report

46. It often happens that what is outlined in a Plan is not actually implemented. Although the period of the Sixth National Development Plan (2000-2005) has passed, the State Report does not give any examples of initiatives to increase cooperation or enhance partnership with the civil society, nor of any active involvement of civil society in designing and implementing policies and programmes to protect and promote child rights.
47. There are newly-registered rights-based NGOs that the Government could foster partnership with if there is a genuine interest to actively involve civil society in designing and implementing policies and programmes to protect and promote child rights. For example, Strength of Society (SoS) is a civil society initiative of a group of youth active in promoting child rights.
48. Some groups interested in promoting human rights – eg: Maldives Aid, and Human Rights Association of Maldives – have been refused registration.
49. Politics often overshadow rights, and the Government practices selective involvement of civil society based on prejudices and political biases.
50. The National Plan of Action for the Well-Being of the Maldivian Child (NPAWBMC, 2001-2010) is an impressive document. However, the State Report, reporting on children as this plan reaches mid-term (five years since formulation) does not report on what has been achieved, or what constraints there are to achieving any of the listed targets. It seems the drawing up of the 10-year Action Plan was an activity, and an end in itself.
51. For example, one target set in the NPAWBMC, 2001-2010 is to “Certify by 2005 the global eradication of poliomyelitis”. However, whilst it is not officially reported, doctors confirm that cases of polio have been identified

recently on at least one island. They believe this is due to the child not accessing vaccination programmes by being born to an unregistered marriage by an under-age girl, and subsequently the birth not getting registered.

52. Two confounding ‘targets’ in the NPAWBMC, 2001-2010 are “By 2005 reduce HIV prevalence by 20% among 15-24 year olds” and “Reduce the proportion of infants infected with HIV: 2005 by 20% and 2010 by 50%”. These are confounding targets because, as far as official statistics go (and there are no other statistics) HIV is not an issue in the Maldives. The threat of an HIV epidemic though, is high, and is not addressed.

### **Economic, Social and Cultural Rights of Children Paragraphs 77 to 83 of the State Report**

53. The “Roadmap for the Reform Agenda: Ushering in a Modern Democracy” revealed by the President in March 2006 promises that the Maldives will become a party to the International Covenant on Civil and Political Rights (ICCPR) and the International Covenant on Economic, Social and Cultural Rights (ICESCR) by 10 December 2006.
54. It is an issue of concern that not enough attention is given to educate law makers, law enforcers and the general public on rights prescribed by international conventions that the Maldives are a party to, and other applicable international human rights standards.
55. Whereas the Government have signed the Convention Against Torture and Other Cruel, Inhuman or Degrading Punishment, the very recent incident in Laamu Atoll Dhanbidhoo island is evidence that these signatures are not taken seriously and that the State does not hold violators accountable.

**“The children could study up to grade 8 in the island.  
The standard of a grade 8 student will be the standard of  
a grade 1 student in Male’!”**

Comment at a community leaders focus group meeting, Laamu Dhanbidhoo

56. While school buildings exist on all islands, educational services in most islands are minimal with few trained teachers. Not all islands have qualified teachers, nor the required number of teachers. In these instances, even if children were to report to school regularly and ‘learn’ the quality of the teaching and learning is sub-standard.
57. Education is not compulsory.
58. Whilst it is agreed that high quality education and health services cannot be provided on all 201 inhabited islands, distributed over thousands of square kilometers, some with a few hundred inhabitants, the geographic situation and

population distribution is the natural situation. And, although all Government reports, without fail, note the geographic distribution as a major hindrance to development and delivery of goods and services, there has been no serious attempt at relocation to urban centres or developing attractive regional centres.

59. Until the tsunami of December 2004 and the displacement of some island communities, the Government did not seriously attempt to implement a population consolidation programme designed to develop industry and service infrastructure in selected zones and attract people to move from the smaller islands to large urbanised centres. This plan that had been developed years earlier but was shelved for, presumably, political reasons.

Report from a focus group discussion at a camp for families displaced by the tsunami, Laamu Atoll Gan

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It was mentioned that they still don't feel very safe in the camp

One girl shared her experience, that there were several instances where a man tried to get into her bed. The rooms are separated by partitions and have a gap between the partition and the roof. This makes it easy for anyone to go from room to room.

There are considerable amount of parents with psychological disturbances and giving harsh punishments for disobedience is some what common in the camp. Especially those students who are not living with their own parents are ill treated.

60. Actionaid report noted the vulnerability of displaced child victims of tsunami and instances of child abuse in these communities.

## **Human Rights Centre Condemns Police Conduct On Dhanbidhoo**

23 July 2006

Police have arrested a teenage girl suspected of abandoning her newly born baby in a lagoon on Dhanbidhoo Island.

But the Maldives Centre for Human Rights and Democracy (MCHRD) has condemned the way the police investigation was handled last Wednesday.

**Every woman on the island between the ages of 12 and 45 was rounded up at the Island Health Post and subjected to a physical examination.** The MCHRD says this 'constitutes a serious violation of their dignity and self-respect' and has called upon the police to issue a public apology.

The examinations began at midday. By the early evening, the police noticed that one woman had departed without being checked. She was brought back at 7pm and then arrested.

It remains unclear how intimate the examinations were. They would certainly have involved pressure being placed on the stomach. But a doctor told the MCHRD that it was very likely that the authorities would have required vaginal examinations in some cases.

Local media reports attributed to the Maldives Police Service have suggested that the mother is under the age of sixteen. But there are no special provisions for minors. If infanticide is proven it will be prosecuted as murder. Death sentences are always commuted to life imprisonment.

Ibrahim Ismail Fulhu, Assistant Island Chief, spoke to Haama Daily on Tuesday. "Mariyam Rasheedha who works for the Island Development Committee appeared in my office and said that an infant has been discovered dead in the shallow waters. Then we went together to the scene and removed the infant from the waters and laid it on the Island's holhuashi, seating built for communal gatherings," he said.

The alarm had initially been raised by a nine year old boy who had spotted the body floating in a lagoon on the south side of the island.

"When the infant was brought in we realized that it couldn't have been more than a few hours old and it still had the umbilical cord" said Mohamed Areef who works at the Island Office. "We immediately called the Police station and they took over the investigation."

One man said that he believed that the baby must have been born sometime during Monday night and that there was evidence of facial injuries. Another islander, a woman who was present when the body was brought ashore, agreed that there were no outward signs of injury on the body apart from a minor injury below the nose.

The incident highlights the problem of young women given few options should they become pregnant outside of marriage. "Cover up is the only option which, in reality means, there is no option", one woman told Minivan. "She could have undertaken an illegal abortion and gotten away with it if she had support of family and friends. Or she could've got married but that's not really possible for a child under 18 years of age."

The Maldives has a largely unrecognized problem of child abuse and teenage rape. A recent human rights survey found that 82% of the population believes that child abuse, especially of girls, is a serious problem in their communities.

The MCHRD has therefore called for the girl's circumstances to be fully investigated.

<http://www.minivannews.com/news/news.php?id=2279>

## Infant found dead in Dhanbidhoo lagoon was murdered: police

24 July 2006

MALE, July 24 (HNS) - The infant found dead in Laamu atoll Dhanbidhoo lagoon on Tuesday was killed after birth, Maldives Police Service has said.

A police spokesman said that investigation had shown, and doctors had also agreed, that the infant was killed after birth before being thrown into the sea. The mother of the infant has been identified as a 16-year-old and three people have been arrested in connection with the murder, police said.

They did not give any details on how the infant was killed but said that the three people arrested were the mother of the infant and her parents. Police said that the three people arrested were in Laamu atoll police station and that the matter was still under investigation.

The father of the infant has not been identified yet; however there is a rumour in the island that the girl had a relationship with a boy under the age of 18 years. To find the mother of the dead infant the police had to get health workers to check all the women in the island to see if they had given birth recently. An official of the health post of Dhanbidhoo said that the mother came to the checking zone but did not allow herself to be checked but later went on to get herself checked.

The official said that when they had touched the girl's stomach the health worker had realized that the girl had recently given birth and so was identified as the dead infant's mother.

In related news, Human Rights activists have condemned the way that the women and the girls of the island were checked during the investigation to find the mother of the dead infant.

The police have said that the check had been limited to touching the abdomen while the Human Rights activists accuse them of stripping the women down to check them. A woman from the island said that she was not forced into doing anything she did not want to do during the search and that those involved had been very respectful during the check.

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### Press Release

Maldives Centre for Human Rights & Democracy (MCHRD) strongly condemns the act of discarding a newborn baby into the lagoon of L. Dhanbidhoo.

At the same time, as we condemn this above horrendous act, we strongly condemn the method employed by the Maldives Police Service to find out the perpetrator of the crime. The fact that **ALL** women and girl-children of L. Dhanbidhoo, between the ages of 12 and 45 were gathered to the Island Health Post and physically checked constitutes a serious violation of their dignity and self-respect.

Therefore, we call upon the Maldives Police Service to issue a public apology to all women of L. Dhanbidhoo for the human rights violation committed against them.

We understand from local media reports attributed to the Maldives Police Service that the alleged mother of the discarded newborn, is herself a child under the age of sixteen. Bearing this in mind, we call upon the authorities to, while seeking the maximum punishment provided under the Maldivian law to the perpetrator(s) of this inhumane act, fully investigate the matter beyond the immediate crime with a view towards preventing such unspeakable acts in the future.

22 July 2006

## Budgetary Trends

### Paragraphs 84 to 91 of the State Report

61. Counselling and social work being professional careers that require expertise and experience, the lack of an adequate, qualified and experienced human resource base cannot be over emphasized.
62. The prevalent practice of appointing unqualified and inexperienced persons, often young school leavers straight out of secondary school, to posts such as “Counsellors” and “Social Workers” following a few weeks of training create false expertise. Intervention by people with little or no training can sometimes do more damage than good.
63. As it is, valuable funds are wasted without due impact as activities that should only be carried out by professionally trained persons or at the least under professional supervision, are carried out by untrained and semi-trained staff with neither the required expertise nor experience, simply by virtue of the Government conferring job titles on them.
64. There is no break-up of budgetary expenditure to show the actual funds that go towards programmes for children. This is evident from the Government expenditure tables provided in the State Report.
65. Most child-related programme activities, much the same as other rights-based and social development activities, are mainly funded by international organisations and bilateral aid projects.
66. The Government budget allocates very little to programme activities such as improving the situation of children and women and to protecting their rights. Almost all activities of the Ministry of Gender and Family are undertaken through foreign aid, especially UN agencies, while the Government contribution is reserved for office rent, staff salaries and administrative support, and the commemorative events such as marking International Children’s Day and International Women’s Day.
67. Often, the Government allocates the minimum 15 percent input for donor-assisted programmed activities on child rights and child development activities while international donors, mainly UNICEF, funds all child-related activities of the Government. The 15 percent allocated by the Government, covers wages, basic administrative costs and office equipment such as computers used in the office, and this 15 percent is duplicated in each and every project proposal to all aid agencies and development partners.
68. Without immediate reassessment of the budget, and re-distribution of existing resources, crucial social programmes in areas such as child protection will suffer drastically once the Maldives loses the LDC status in a few years time.

## CRC Education

### Paragraphs 92 to 98 of the State Report

Most children from the age of 10 to 12 years in Haa Dhaalu Atoll have heard about the CRC, however none of them have read it. They have not been introduced to these articles before and have only heard about it over the television and radio.

In Laamu Atoll Maabaidhoo, when asked whether they have heard about CRC the children gave a unanimous NO. But there were some students who said that they know this convention exists but have never heard a single article. None of the displaced children living in camps in Laamu Atoll Gan appeared to have ever heard of CRC or seen any documents. Even through television / radio children were not very familiar with the topic.

Fieldwork Report: Views of Children

69. The activities to raise awareness on the Convention focused too little on its relevance to the Maldives and how the principles apply locally.
70. The activities listed in the State Report do not appear to have been effective. Most people are not aware of CRC as relevant to them, and many are antagonistic to the notion of a child having rights. To them, child rights have interfered with parental control and is the root cause of the rise in juvenile delinquency, drug abuse and other 'evils'.

Majority of the people who represented the organizations have not seen the convention before, but were aware of the Convention and children rights from TV and Radio. A radio quiz on the CRC broadcast the previous Ramazan was mentioned as the main source of their knowledge.

Some participants in the focus groups in Laamu Atoll mentioned that, in Maldives, human rights is only brought up with regard to criminals.

"We don't understand what human rights are? Rights of prisoners are well protected. What about the rights of rest of the community? What about women and children. Do we have any rights?"

Fieldwork Report: Views of Community Leaders

## Children's Participation in CRC Education

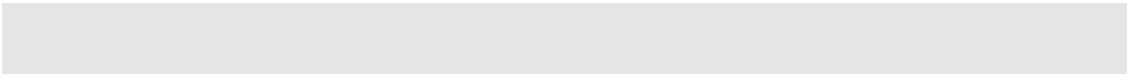
### Paragraphs 106 to 111 of the State Report

71. The said Steering Committee was hastily drawn up of Government and selected NGOs, specifically to meet up with the International Consultant hired at the last minute to produce the long overdue report to the UN.
72. Thus the consultative meetings, individual meetings and follow-up meetings mentioned were brief visits by the international consultant to the respective Government ministries, NGOs and other agencies.
73. There was no public debate or discussion, nor were NGOs extensively involved in the writing of the State Report.

### Recommendations

74. It is recommended that the Government:
  - i. Study the amendments, actions and processes required for reservations on CRC to be removed and lobby the Constitutional Assembly to incorporate these changes into the Constitution.
  - ii. Disseminate the findings of studies and recommendations more widely, set timeframes for implementation, and seriously commit to implement recommendations.
  - iii. Make public the dissemination strategy "that has already been devised" so that civil society organisations as well as the international community can follow up on its actual implementation.
  - iv. Revise the Family Law focussing on lived realities, and set up the institutional framework and expertise to fully implement the Family Law (eg. Counselling services).
  - v. Better utilise existing human resources.
  - vi. Set up the new Human Rights Commission in conformity with the Paris Principles.
  - vii. Reconsider the role of the Child Protection Services/ Authority
  - viii. Set up child - friendly services directly accessible to children.
  - ix. Strengthen monitoring and evaluation of CRC related activities focussing on output, achievements and results.
  - x. Sign ICCPR and ICESCR.
  - xi. Improve quality of services.
  - xii. Reassess Government spending and re-allocate existing resources.
  - xiii. Prepare budget break-downs and gendered budgets for transparency.



- xiv. Raise awareness of CRC as a Convention relevant to each and every child.
  - xv. Raise greater awareness of CRC among Constitutional Assembly members, Parliamentarians and policy makers.
  - xvi. Adopt a rights-based approach to issues.
75. Further, the new Human Rights Commission, should:
- i. Adopt a proactive and preemptive approach to dealing with human rights issues
  - ii. Consider broader legislative and policy issues as well as practical aspects in dealing with cases of human rights violations.
- 

## II. Definitions of the Child

### Article 1

#### Paragraphs 112 to 115 of the State Report

76. The first-ever codified Family Law in the Maldives (2000) set the minimum age for marriage at 18, but allowed exceptions to the rule. These exceptions are ambiguous and subjective as magistrate/judge (all men) are given the authority to decide based on his perceived maturity of the child in question.
77. A recent change with the re-organisation of the Unit on the Rights of the Child to two departments; Child Protection Authority and Child Protection Services; is that these two departments need to be informed and are involved in deciding on assessing and advising on every request for the marriage of a child under the age of 18.
78. The minimum age of 18 for marriage was strictly upheld in the initial years of the Family Law coming into force, July 2001 to July 2005. Since then there have been instances where children between the ages of 16 and 18 were permitted to be married. In at least 4 instances, children below the age of 18 were granted permission to enter into marriage in 2006. All these were girl children.
79. This development is related to the opening of political space and the entry of religious ideologists/ political Islamists into political activism. One of the newly-formed political parties, Adalat Party, has openly criticized and called the Family Law un-Islamic and illegitimate.
80. Requests for the marriage of children under 18 are on the rise. On average there is one case per week referred to the authorities.
81. The Family Law is also held accountable by them for children (girls under 18 years) giving birth out of wedlock. They argue that 18 as the minimum age of marriage goes against nature or biology.
82. Sex outside marriage is strictly forbidden, and there is no access to birth control for people who are not married. (Although condoms are available over-the-counter, the Government does not acknowledge this.) However, in reality, a very high percentage of teenagers and some pre-teens as

#### Case Report: Marriage of a Minor

A Maldivian man took away a child of nine years to Pakistan, married her, and they had four children. This was discovered years later when the man got into trouble for alleged involvement with terrorists.

Following Government intervention to free the man, he and his wife, was brought to Male'. The wife is sixteen now. The Court ruled the children from that marriage

young as 10 years, do engage in sex, especially young people involved in drug abuse, as identified by the rapid assessment survey on drug abuse.

83. With ideological conflict, there are instances of underage children being married off without the knowledge of the Courts and living together as husband and wife without registering their marriages. Where such cases are exposed, the Court has held the position that while the marriage is unlawful, the children born of those marriages are legitimate.
84. Five years since the Family Law came into force in July 2001, there is still no record of a single prenuptial agreement being entered into. This may be because the right to enter into pre-nuptial agreement while enshrined in law is not promoted. Pre-marriage counselling undertaken by judges/registrar at the Family Court in Male' and magistrates in island courts do not inform the couple of their right to enter into a pre-nuptial agreement, let alone advice on the prudence of the practice.
85. The clause in the Family Law on prenuptial agreements simply states that, "The Law does not prevent entering into pre-nuptial agreements". There is no further detail, no mention of the right to having equal access and control over property and finance; and no attempt to promote prenuptial agreements.
86. There is not one single female judge on the bench although the current Constitution does not bar a woman from being appointed a Judge.
87. The all-male judges have vocally reprimanded women where they felt the women were asking for too high a bride price.

**Case Study: Run (bride price) too high!**

Aminath's husband deserted her less than a month into their marriage. According to her, he had said to her that he was "not feeling good" with her and packed up and left. Next she heard from him was when she was summoned to the Court a few weeks later, as he had arbitrarily divorced her outside the Court and informed the Court of his action, upon which she was required to go to be the beginning of a sustained and persistent monitoring of CRC implementation by Court in order to register the divorce.

At the Court, she explained to the Judge that she had not yet received *ran* (Mahr or brideprice) and wanted it. The Judge asked how much, and upon hearing her price which she had asked at the time of marriage, the Judge very rudely interjected, "Isn't that too much!"

The Judge refused to consider it at the time and asked her to file a separate case to acquire the agreed bride price.

**Life Story: Arbitration in a Divorce Case**

In March 2003, when Hawwa submitted her second petition for divorce at the Family Court, the case was sent for reconciliation through arbiters.

The arbitrator from Hawwa's side was a long-term friend of hers', and for Adam his brother. After meeting with both Hawwa and Adam for the specific purpose of mediating a reconciliation between the couple, Hawwa's arbitrator reported to the Court that: i) There is no love and affection nor respect between Hawwa and Adam. Instead what exists between them is anger and hatred; (ii) Hawwa is psychologically abused continuously and sometimes physically abused by Adam, (iii) Adam is not a responsible father.

She further elaborated;

When I asked him [Adam] that since he wants love and affection from her and wants to have sexual relations with her and as she does not want to offer that, and how could the couple live together amicably in such conditions?... he replied that there is no place he can go after divorcing her. I realise from his reply that even Adam does not love Hawwa and he does not want to divorce her not because it will affect the children but because he needs a place to stay.

Adam's arbitrator reported,

Regarding the case in which Hawwa, the wife of my brother Adam, is seeking a divorce from him, as a arbitrator of Adam I would like to tell the court that when I met with the couple and talked to them Hawwa said that because of the actions and behaviour of Adam, she is completely fed up with him and she does not want to live with him. But Adam said that he wants to live with her peacefully. I feel that the couple should not separate and live together after making peace. There is nothing more that I have to say.

Following the arbitration process, the Court refused to grant a divorce, ruling that it was "in the best interest" to continue their marriage.

On appeal, the High Court upheld Family Court's ruling.

Hawwa was later granted a divorce when she filed a third petition at the Family Court, after losing at High Court.

88. While the law discourages extrajudicial and arbitrary divorce, it does not prevent the practice, and it is still widely practiced. And, although the rate of divorce went down statistically in the first few years of the Law coming into effect, divorce is once again on the rise. At the same, even though the Family Law is to have granted equal access to divorce to women, it still remains just as difficult as before, for a woman to initiate divorce and win in instances where the husband is not willing to grant a divorce.
89. With the Family Law specifically targeted to bring down divorce statistics, the quality of marriage and family life was ignored. The "reconciliation" by the Court is a misnomer as the focus is to force couples to remain married, and the so-called reconciliation is in effect a court order to remain together without the necessary support services for counseling aggrieved and estranged couples.
90. As the Life Story of 'Hawwa' illustrates, arbitration is a mere formality. The Court, when reaching its decisions, does not seriously consider the conclusions arrived at by the arbiters. Considering instances such as this, the statistical downturn in divorce rates, cannot be assumed to have resulted in healthier marital relations or healthier families.

91. The lack of clarity as to who is a child remains, even though the Law on the Protection of the Rights of the Child (Law 9/91) was amended to raise the age of the child from 16 to 18 years.
92. For the purposes of marriage 18 is the age of maturity. However in early 2006 (January to May), the newly established Child Protection Authority received four cases of applications to marry children under 18. It had recommended the marriages.
93. For criminal liability the age varies.
94. For political participation, the age of maturity is at 21. Age of eligibility for various offices vary more.
95. A newly emerging issue of grave concern is the practice by some strict "Islamists" to enter children into extra-judicial marriages, without notifying the Courts or registering these marriages. While it is impossible to determine how widespread this practice is, or to produce statistics, anecdotal evidence point to a rise in this practice.
96. Age of criminal responsibility is ambiguous in Maldives' law.
97. With no law on child criminal issues, a Justice Ministry administrative regulation regulates the area, although it is a matter for the Parliament and legislation is required.
98. Children must assume criminal responsibility for their actions at the age of 10.
99. For religious offences for which flogging is prescribed children must assume criminal responsibility once they reach puberty.

**High Court reduces verdict of life imprisonment for underage child to five years house imprisonment.**

20 November 2005

MALE, Nov 21 (HNS) – The Maldivian High Court has changed the verdict made by Juvenile Court sentencing an underage (below the age of 18 at the time of crime) from life imprisonment to five years house arrest.

Shaaneez Hassan received the life imprisonment sentence when he was 17 years old for drug possession for which Shaaneez has allegedly given testimonial against himself during investigation.

The verdict made by Juvenile Court was dismissed by the judge of High Court Adam Mohamed, when Shaaneez appealed that the verdict of the Juvenile Court was made without the full reference to the Child Rights Law.

According to the judge after Shaaneez's appeal, the case was solve by the High Court and when the judges of the High Court comprehended that the verdict should be changed, it was dismissed and he was sentence for five years under house arrest.

Judge of the Juvenile Court, Abdullah Didi sentence him for life imprisonment in March 2005, when he was 17 year old.

According to the law, people under 18 years of age are considered as children.

100. Children between the ages of 10 and 15 must assume criminal responsibility for:
  - i. blasphemy, revolt, fornication, qazfu, and consumption of alcohol;
  - ii. willful murder; and
  - iii. all drug-related offences
101. The Law requires that all juvenile offenders investigated for any offence listed above, and repeat offenders must be prosecuted.
102. Children between the ages of 15 and 18 must assume all criminal responsibility.
103. The Law specifically states that recognition of all under the age of 18 as children does not apply in instances where the said child is in paid employment.
104. The Law also states that children must not be detained/arrested during investigation unless it is absolutely necessary. However, in practice children are often detained by police for investigation and sometimes held for lengthy periods (refer Maldives Human Rights Commission reports 2004, 2005)
105. The recent political opening up with the formal recognition of opposition and opposition parties, have resulted in rallies and street protests to exercise their freedom of assembly and freedom of expression. With no acceptance of protest as a right, these rallies have often resulted in heavy-handed police action with police in riot gear charging into peaceful protests, scuffling with protestors, and arresting many.

**Nine more people arrested due to the illegal gatherings**

17 August 2005

MALE, August 17(HNS) - Nine more people have been arrested by Maldives Police Service on Wednesday due to the illegal gatherings which started last Friday.

Police said that these people were arrested by the security units to maintain peace.

Police said that they have been searching for the people who have been creating commotions on the roads of Male and that they have been receiving information about these people and that things are being brought back to normal.

Among the people who have been arrested due to these illegal gatherings, 15 have been released and two have been placed under house arrest. Nine of the released were children who are under 18 years. There are 131 people under police custody.

<http://www.haveeru.com.mv/?page=enqdetails&id=5494>

**Paragraph 119 of the State Report**

106. Surgery is not permitted at any age without the consent of parent/guardian, husband or male next of kin.

107. Legislative compulsion of education till age 12 is not effective, when quality education (adequate number of trained teachers, teaching/learning materials) are not available in all schools in the Atolls.

**Paragraph 121 of the State Report**

108. ILO (1997) projected 2,000 economically active children between the ages of 10 and 14 in the Maldives, for the year 2000. There is no clear data available.
109. Maldives is not a member of the International Labour Organisation (ILO) and the first Labour Law is currently under discussion in Parliament.
110. Ministry of High Education, Labour and Employment does not intervene in issues where members of the civil service are treated unfairly.
111. Informal “employment” of children – children working in return for shelter and food – are common in the capital Male’, where children from the atolls often come to continue their education. The discrepancy in results of children in Male’s government schools where majority of the student’s are from Male’ or from families resident in Male’, and the results of students in the ward schools and schools managed by private parties, while it can be attributed to the poorer beginnings in education, also points to the fact that the students in the latter have less time for learning. Often, these student-servants are not permitted to participate in extra-curricular activities as it takes them away from their household chores.

**Paragraph 123 of the State Report**

112. Sexual relations outside marriage being illegal regardless of age, there is no legal age of sexual consent. In instances where children under the age of 18 are found to have sexual relations, adult laws apply whatever their age; or whether the act was with or without consent.
113. There is no legal concept of rape as understood in the international context. In domestic legislation rape fits under “sexual misconduct” categorised into degrees, and both the victim and perpetrator bear responsibility.
114. Theft and robbery which are also religious offences in Islam are categorized as statutory offences. Rape, however, does not fall within statutory offences and requires four witnesses as standard of proof making it impossible to prove in Court.
115. Findings of the Rapid Assessment Survey on Drug Abuse point to an alarming number of young persons practicing illegal and unsafe sex, it is likely that

these numbers only refer to the number of young people forced to bear unwanted pregnancies and/or give birth.

116. No data on the extent of unwanted pregnancies or illegal and unsafe abortions exist.

117. Available data, 2003 to 2005, show that children were sentenced for the crime of fornication. Flogging plus banishment/ house arrest is the prescribed penalty. The data does not reveal whether actual sentences have been enforced.

#### **Paragraphs 124 and 125 of the State Report**

118. The Declaration made by the Government on 29 December 2004 at the time of accession to the Optional Protocol to the Convention on the Rights of the Child on Involvement of Children in Armed Conflict (25 May 2000) states 18 years as the minimum age permitted for recruitment to the National Security Services (recently renamed Maldives National Defence Force) and the Maldives Police Services.

#### **Paragraphs 126 and 127 of the State Report**

119. The Maldives Human Rights Commission Report (2005) note that children were found in the Dhoonidhoo detention centre managed by the Maldives Police Services as well as in Maafushi Prison managed by the Department of Penitentiary and Correction Services.

#### **Youth Sexual Activity Statistics\***

One in ten 9% (99/1121) of young people said they had had sexual intercourse: 14% (63/459) young men and 5% (34/653) young women. Almost two thirds (62%, 58/94) of those who had had sex said their first sexual intercourse was before the age of 18 years.

When asked how often they used condoms in the last year when having sex, 4% (4/94) of those who said they had had sex said they do not know what a condom was.

Some 45% (42/94) said they never used a condom, while one in ten (12%, 11/94) said they always used condoms during sexual intercourse.

Of those who were sexually active and used condoms, nearly half (20/49) said they used them to avoid pregnancy and a few (9/49) used them to avoid STIs and HIV/AIDS.

One in four (12/49) said they used condoms because they wanted to and some (8/49) said they used them because their partner wanted them to.

Young people were asked why they did not use condoms.

Of those who were sexually active, one in ten (5/59) said they did not know what a condom was.

The most common answer was dislike of using condoms (23/59). A smaller number (10/59) said their partner did not like to use condoms.

Some (8/59) said it was difficult to get condoms. Of those who were sexually active and used condoms, nearly half (21/48) said they got them from a pharmacy.

Some (14/48) got their condoms from friends, and a few (10/48) said their partner got the condoms.

A few (3/48) unmarried young people said they got condoms from health service providers.

Of young respondents who were sexually active and used condoms, nearly half (24/57) said it was easy to get condoms, a quarter (15/57) said it was somewhat difficult and some (8/57) said it was very difficult.

Others (10/57) said their partner got the condoms.

In the focus groups of unmarried youth, some participants raised the issue about the price of condoms and the difficulty of getting them.

Over half the opinion leaders interviewed in the islands (35/60) agreed that unmarried youth were sexually active on their islands.



### Paragraphs 128 of the State Report

120. Capital punishment has not been practiced in the Maldives in over half a century, all though the sentencing to capital punishment is practiced. In such instances, the sentence of capital punishment is automatically changed into a life-sentence through presidential powers.
121. For religious offences prescribing capital punishment (eg. murder), the sentence prescribed would be capital punishment regardless of the age of the offender. At least one child under the age of 18 was sentenced to life imprisonment by the Juvenile Court in 2005. The sentence was later overturned by the High Court.

Table 1: Children sentenced for the crime of fornication; Atolls						
	2003		2004		2005	
	F	M	F	M	F	M
Under 16 years	5	1	2	0	1	0
16 to 18 years	18	7	23	0	13	2
Source: Ministry of Justice						

Table 2: Children sentenced for the crime of fornication; Male'						
	2003		2004		2005	
	F	M	F	M	F	M
Under 16 years	1	0	4	0	0	0
16 to 18 years	7	4	14	1	5	0
Source: Ministry of Justice						

### Paragraph 130 of the State Report

122. Whilst children under the age of 18 can lodge complaints at the Ministry of Gender and Family (or anywhere else, for that matter), the accessibility of MGF to children is of concern. The hotline is not functioning, and even with it functioning, the majority of children do not have access to telephones without parental consent/ adult assistance. The internet complaint system is accessible to a small group of privileged children.

### Paragraph 131 of the State Report

123. Children can participate in administrative and judicial proceedings related specifically to custody, from the age of seven. However, it is the prerogative of the judge to allow the child to voice his/her view. Cases at the Family Court show that judges use this at their discretion rather than as a right of the child to be heard or to ascertain the best interest of the child.

124. Even where children are allowed to make a choice, it is of concern that the child cannot make an informed and independent choice. This is because, often the child is only familiar with the person he or she is living with (the defendant), without the plaintiff having due access to the child. In these circumstances it is possible that the child may not know the other parent well enough to make an informed choice in his best interests, or that the child is coerced or even threatened into making a certain choice.
125. Five years since the codified Family Law came into effect, there are no trained social workers or counselors, and judges play these triple roles from the bench.
126. Courts does no know to enforce access to children in practice. Visiting rights are not legally granted, and it's left up to the parents to organize themselves.

#### **Paragraphs 133 to 134 of the State Report**

127. Paternity is a legal, contractual concept established by marriage alone and children born out of wedlock cannot legally access information on their biological father, if the mother fails to or refuses to inform the child.
128. Children born out of wedlock cannot inherit from the paternal side.

#### **Paragraph 136 of the State Report**

129. Associations in schools and girl guides, boy scouts etc. are only accessible through the school system. School drop-outs and other children who remain out of the school system do not have access to these organizations.

#### **Paragraph 136 of the State Report**

130. Where consumption of alcohol is concerned, a child is not differentiated from adults in punishment and are treated as adults if they have reached puberty or age 10.

Parents in Haa Dhaalu Kulhudhuffushi expressed concern that children were dropping out of school after brainwashing by Islamists. It was reported that one girl sitting for her GCE O'levels had decided halfway that school was not correct, and refused to continue with any further exams. These parents identified to be of more concern than the high rate of drug abuse!

Fieldwork Report:  
Haa Dhaalu Kulhudhuffushi

#### **Paragraphs 137 of the State Report**

131. Education is not mandatory.
132. Education up to the age of 18 is not universally available.

133. There is no assessment of school age children staying out of school.

**Paragraphs 138 of the State Report**

134. The Family Law discriminates against men and women justifying the discrimination as prescriptions in Sharia'. For instance, girls and women, whatever their age need the consent of the father/ male legal guardian to enter into marriage.
135. The Family Law is based upon gendered assumptions like husband the breadwinner who has financial responsibility and wife the home-maker who must obey the husband. This normative picture is far removed from social realities that exist in the Maldives today.
136. Custody of children are automatically granted to the mother without any discussion. Even in instances where the mother do not have the means (eg. living space), the mother is forced to take over the children.
137. While the codified Family Law prescribes that both women and men go through the Courts to affect divorce; it is possible for men to perform extra-judicial divorces and pay a fine.
138. For men and women going through divorce through the Courts, it is still easier for a man to obtain a divorce as gendered perceptions prevail amongst judges who are all male.
139. There are no female judges even though the 1997 Constitution does not bar women from becoming judges. There is a perception amongst certain groups that Islam denies women the right to be judge, even though evidence from other Islamic countries point to women being appointed judges in over 130 Islamic countries.
140. In certain instances, even where women are able to produce evidence of husband's cruelty, the Court has refused to grant a divorce at the first instance forcing women to stay in harmful relations while they go through Court ordered and Court-mediated reconciliation.
141. Court-mediated reconciliation is carried out by judges from their benches.

HAVEERU DAILY NEWS ARTICLE 14 March 2004  
<http://www.haveeru.com.mv/?page=details&id=23927>

Quick Translation by the Detainee Network

**LIFE IMPRISONMENT FOR 18 YEAR-OLD DRUG DEALER**

14 March 2004

By Adam Haleem

The Juvenile Court gave a verdict of life imprisonment today to a boy of 18 for the offense of keeping narcotics to sell.

Juvenile Court Judge Abdulla Didi passed a ruling of life imprisonment on Shaneez Hashim of Guldastaa-ge of Hitadoo Island of Seenu Atoll under Article 2(d) of Law number 17/77, the Narcotics Act.

The State pressed charges against Shaneez for [allegedly] throwing a bag that had 106 packets of heroin out of his bag on his way to the Island Office of Guraidoo Island of Kaafu Atoll. He was summoned to the Island Office on suspicion that he and two other young people were carrying drugs on the ferry "Misraab 2" traveling to Guraidoo on 12 August last year. The case was proven by the court on the evidence of witnesses.

The bag containing the heroin packets thrown out by Shaneez had a weight of 20.03 grams. When Shaneez perpetuated this act he was 17 years old. When the verdict was passed on him today his age is 18 years.

If the accused has not reached 18 years the person is legally considered a minor in the Maldives.

The Unit for the Rights of Children said that they cannot comment on a verdict passed by the Juvenile Court. However, given the fact that when the incident took place Shaneez Hashim was a minor and that he became 18 in January this year, there was some confusion in the case the Unit said. The Unit said it was studying the issue.

ENDS

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<http://www.maldiviandetainees.net/PressReports/LifeImprisonmentFor18YearOldDrugDealer.htm>

## Recommendations

142. It is recommended that:
- i. Appoint women to the bench.
  - ii. Include women in the Judicial Services Commission.
  - iii. Study and address the root causes of why children under the age of 18 request marriage.
  - iv. Improve quality of education and provide alternative opportunities to formal education.
  - v. Study the drug issue and implement a preventive programme.
  - vi. Address the problem of child drug addiction as "victims" and not "criminals".
  - vii. House child offenders in a separate facility.
  - viii. Address the issue of children born out of wedlock in a manner that the children do not get stigmatised for life for a sin committed by the parents.

### III. General Principles

Articles 2, 3, 6 and 12

Non-Discrimination  
Article 2

Normally children are not discriminated based on their gender, however fat, thin, fair and dark is an issue and children have experienced different treatments depending on these traits.

Children born out of wedlock are pointed fingers at, and children who are fat are called rude and hurtful nick names.

Fieldwork Report: Children's Observations

School services are available for all children, but it was mentioned that there are few children who are not going to school either because their parents feel that they are bad children and is not studying or some parents not wanting to send their children.

Fieldwork Report

#### Paragraph 142 of the State Report

143. The present Constitution simply states "Maldivian citizens are equal before and under the law and are entitled to the equal protection of the law". In practice this constitutional guaranty of equality is not respected.
144. The relevant amendment proposed by the President to the Constitution is, "To stipulate that all citizens are equal before and under the law and are entitled to equal rights without regard to their sex or race". This does not incorporate Article 2 fully, and the amendment might be abused to claim discrimination on any other ground is not permitted.
145. Socio-economic disparities, especially rural-urban disparities remain.

#### Paragraphs 143 to 148 of the State Report

146. CEDAW has not been incorporated into domestic law nor have laws been amended to include CEDAW provisions.

147. The State Report mentions a ten-year National Plan of Action for the Girl Child (1991-2000) but does not report what actions were in it, how these actions were implemented, or what was achieved by it.
148. The findings of the 1997 gender appraisal of laws are yet to be disseminated in any form.
149. There is no mention of any legislative or administrative changes as a result of the 1997 gender appraisal of laws.
150. The Gender Equality Council formed in 2000 and presided over by the President has, in five years of existence, met only once, in December 2001.
151. Teaching material and teaching practices are gendered beginning as early as primary school.
152. Teacher-Parent interaction is gendered. For example, in cases where parents are requested to bring food, mothers are given notices. At other times, especially in decision making bodies like the Parent Teacher Associations, men tend to outnumber women.
153. There is an emerging trend amongst certain Islamist groups to keep girls out of school. During the fieldwork for the preparation of this supplementary report, parents in Haa Dhaalu Kulhudhuffushi raised their concerns about the growing phenomenon, noting that this was of more concern now than even the drug issue!
154. Upper secondary school is accessible to a limited number of students in certain parts of the country.

#### **Paragraphs 149 to 151 of the State Report**

In Laamu Fonadhoo, it was mentioned that not all children get the opportunity to go to school. There are a few children who do not go to school due to parental neglect, behavioral problems or because they have some form of disability even if it the disability may not interfere with studies.

Fieldwork Report

155. There are no special educational facilities for children with disabilities outside Male'. Even in Male' not all children with disabilities have the opportunity for schooling. According to official statistics, in 2004, only a total of 76 students (female: 31, male: 45) accessed special classes for children with disabilities.

**45 expat teachers request permission to leave jobs, Maldives: Ministry**

23 March 2006

MALE, Mar 23 (HNS) - Education Ministry has said that till now, 45 expatriate teachers have requested permission to leave their jobs and Maldives as well this year.

However Education Ministry did not say why they wanted to leave their jobs.

The Ministry said that difficulties arose because there were teachers who did not return after going on vacation.

"Even though enough teachers are recruited by the year's start, at the last minute some decide not to come. Then there are others who do come to Male for their jobs but return to their countries. In addition to this because of teachers' pregnancy and no pay leaves extra efforts need to be made to have enough teachers," Education Ministry said answering a question in writing.

Making a statement on a problem which arose in Gaafu Dhaalu Gadhoo atoll school due to lack of teachers Education Ministry said that two expatriate teachers were recruited this year to teach General Science in that school.

"We knew that the first teacher did not come when that person did not arrive in the airport and when we inquired about it. We knew that the second teacher did not come during late February. Now another teacher had been recruited and that person will go to that school in a week's time," Education Ministry said.

Education Ministry said that the Islam and Dhivehi teachers required by that school are being trained by the Faculty of Education and Faculty of Islam Studies.

The Ministry said that there already is a teacher of Dhivehi recruited but that that person had presented resignation.

The Ministry said that many teachers had been trained in the Gadhoo atoll school but that those teachers had joined other schools for various reasons.

Education Ministry said that by the end of this year Islam and Dhivehi subjects will be taught to secondary grades.

Most of the parents of the students studying in that school did not send their children to school on Sunday and Monday because the teachers of some subjects were missing in the school.

A petition signed by 93 parents was sent to the Education Ministry requesting to send the required number of teachers to that school.

<http://www.haveeru.com.mv/?page=enqdetails&id=7058>

**Parents stop sending children to Gaafu Dhaalu Atoll Madhrasa until all teachers present**

20 March 2006

MALE, Mar 20 (HNS) - Parents have stopped sending their children to Gaafu Dhaalu Atoll Madhrasa until the number of teachers meets the requirement.

Patrice Sam, the Assistant Principal of the school in Gaafu Dhaalu Gadhoo said that from the 500 students in the school, only 181 attended the school's Sunday's morning session.

He said that number of students who came after the interval period was even lesser. Reportedly only some 30 students went to school after the interval period.

A person who spoke from the Gaafu Dhaalu Atoll Madhrasa Parent's Association said that the parents were signing a petition Sunday requesting the government to bring teachers to the school to the amount required.

The school which teaches from grade one to 10 requires a General Science teacher, two teachers to teach Islam and Dhivehi for secondary grades and two temporary teachers.

"Since the first term began we have been requesting the Education Ministry to fill the requirement for teachers. They always say that they will do it. However, even when the first term had neared its end the teachers are not here. Therefore to express their discontent parents did not want to send their children to school. There is no other problem. This is not a political issue. The parents from this island have had a close relationship with the school. They want a quality education," Patrice said.

A senior official of the Education Ministry was unavailable for comment. However, citing the Education Ministry the Assistant Principal said that a General Science teacher will be available in the coming week.

<http://www.haveeru.com.mv/?page=enqdetails&id=7034>

156. Care Society runs classes for disabled children in Male' and the Government has classes in one primary school. Secondary schools have no special facilities.

#### **Paragraph 152 of the State Report**

157. Primary education up to Grade 7 is not available in every island. Even though there is a school in every inhabited island, not all schools have trained teachers.

#### **Gaafaru islanders lock island office with chiefs inside**

03 May 2006

MALE, May 3 (HNS) – Some angry parents from Kaafu atoll Gaafaru island have locked their island office with the staff of that office inside, because the requirement of teachers in the school was not met.

The islanders made the teachers inside the school leave as well.

A man who was talking on the phone from Gaafaru island said that since even the second term had begun without the requirement of teachers being met, the parents did not send their children to school on Monday and Tuesday.

Junior Island Chief Mohamed Ismail said that the parents closed the island office on Tuesday after giving warning that the office would be closed with the staff and chiefs inside unless they leave.

"I said that that problem is not directly related to us. We are doing our duty. Had we known about that sooner we would have done what we could," The Junior Chief said.

Education Ministry said that they will be sending the additional teachers soon.

<http://www.haveeru.com.mv/?page=enqdetails&id=7329>

#### **Paragraph 154 of the State Report**

158. Legislation, policies and practices discriminate against children born out of wedlock.
159. Children born out of wedlock are discriminated against in that they have no right to their natural (biological) father even in instances where the father claims the child to be his. As a consequence they cannot have their father's name, and cannot inherit from the father.
160. There is no evidence law. Paternity of a child born out of wedlock is not legally accepted even in instances where a man claims to be the biological father and the mother agrees. There is no DNA testing to establish parentage.

#### **Paragraph 155 of the State Report**

161. There is no legislative framework or administrative mechanism to cater to refugees or asylum seekers.
162. Although a third of the workforce are expatriates, the rights of resident children of foreign parents are not clear. Focus on the Maldivian child.



163. The Maldives practices exclusionary policies to prevent citizenship or permanent residency being conferred on anyone born to non-Maldivians.

#### **Paragraph 156 of the State Report**

164. With the “othering” of people who do not conform to strict rules preached by certain groups on religious grounds could cause widespread social and racist problems if not dealt with immediately.
165. There is a growing movement to veil girls and women, and harassment of those who do not conform is on the rise. At the same time, those who do where the veil are harassed too.
166. There is a reluctance on the part of the police to accept harassment of women and girls as socially unacceptable behaviour and act upon it.
167. There exists a highly organised system of favouritism, informal discrimination and punishment for children based on the activities, expressed opinions or beliefs of their parents. Preferential treatment has increased due to the open political rivalry since political parties were permitted, and school principals and teachers picked affiliations with the Government-representative party or opposition. In this instance, where Government supporters hold positions of power, children of opposition members are unfairly disadvantaged.
168. Parents who complain to schools on issues, even those complaints related to teaching/schooling, report that schools are not open to complaints and that their children get harassed as a result of it.

#### **Recommendations**

169. It is recommended that:
- i. Legislation, policies and practices that discriminate against children born out of wedlock, and contribute towards reproducing and sustaining social stigma and discrimination, must be eliminated.
  - ii. All children, whatever their nationality status, get equal treatment.
  - iii. All school textbooks practices be reviewed for gender discriminatory material.
  - iv. Teachers and school authorities are checked on gender discriminatory practices.
  - v. Politics are kept out of the school system. (For example, school principals, teachers etc. should not be actively involved in party politics).

## Best Interests of the Child

### Article 3

#### Paragraphs 158 to 160 of the State Report

170. “Best Interests of the Child” is not an understood or applied concept in the Maldives, though a number of things are decided supposedly in the best interests of the child. It is often used though not to mean anything significant, but, rather for the purpose of using politically correct terms.

171. Looking at practices based on this concept, one might even question how much the concept is understood and applied in its true sense by policymakers, lawmakers and law enforcers.

#### Paragraph 161 of the State Report

172. Children are not consulted in divorce by the Judge, and nor are arbitrators guided to consult with children. It is left to the arbiters. Judges never consult children, although all divorce denials and approvals by the Court record that the decision was taken in the best interest of the child (or children), if the couple have any children together.
173. When children under the age of 18 are married off with the consent of their parent/guardian, it is questionable as to whether it is the “best interests” of the child or the parent/guardian that is taken into consideration.

#### **Custody: Best Interest of the Child?**

##### **Defendant**

A divorced woman who had her four children living with her. (children between ages 7 and 16)

##### **Plaintiff**

Her ex-husband, who is re-married and have two other children with his new wife.

##### **Petition**

To get custody of his four children living with their mother.

##### **Points noted in the case sheet by the Family Court**

Father demands custody on the grounds that he cannot afford to pay child support and child care payments.

Mother has been looking after the children years.

Father had not sought custody before.

##### **Family Court Ruling**

Custody not granted.

Inability to pay child support and child care payments are not grounds to grant custody to father. Children to remain with their mother. Father ordered to pay child support and child care payments.

##### **High Court Ruling on Appeal**

Family Court ruling over-ruled.

Although the children are at an age when they may decide which parent to reside with, the Court, without consulting the children, ruled that, as the father is the one responsible to feed, clothe, educate, provide medical care when and where necessary, and bear the costs of all these; and because of his financial status with the added burden of providing for a wife and two other children, custody should be given to the father.

Custody granted to father.

174. When custody of children are granted to the father “because of his financial circumstances due to the burden of having got other children and a wife” it is

questionable whether the decision was based on the “best interests of the child”.

**“When parents decide for a divorce they never think of the children. By the time the parents realize the impact on the children it’s much too late.”**

#### **Paragraph 162 of the State Report**

175. The policies mentioned in the State Report are yet at a conceptual level.

#### **Paragraphs 163 to 166 of the State Report**

176. The children’s home is a newly established structure and need independent scrutiny to ensure that the children housed there are cared for according to established standards. Some informal reports claim the children are not allowed to play with the toys there “in case they break the toys”.
177. The caregivers are not trained professionals.
178. Juvenile delinquents are housed in what is now known as the Education and Training Centre for Children located in Maafushi island.
179. In Maafushi where juvenile delinquents are, the expenditure per child per day is Maldivian Rufiyaa 15.00 – in real terms one egg per week. No vegetables. Conversely the expenditure on adult criminals in jail stand at Maldivian Rufiyaa 50.00 per person per day.
180. New legislation allow children to be imprisoned, but in separate juvenile centres. However, since this law came into force children are imprisoned, and with no separate detention centre, children are imprisoned with adults at least some of whom are hardcore criminals.
181. Currently juveniles are kept in Dhoonidhoo detention centre and Feydhoo Finolhu, an extension of police detention space, while they go through interrogation and investigation.
182. The separation of children and adults is maintained by keeping the children in tents separate from the adult buildings.
183. A committee was set up to advice judges on the issue when requests are made to extend detention period of children during interrogation and investigation, but this committee is ineffective.

184. There is a seriously high rate of criminalization (mainly drug offences) without effective treatment and remedial.

## The Right to Survival, Life and Development

### Article 6

#### Body of infant found floating in Dhanbidhoo lagoon

19 July 2006

An infant, who couldn't have been even a day old, was found dead and floating in the lagoon of Laamu Dhanbidhoo, Tuesday morning.

Assistant Island Chief, Mohamed Areef, said that the body of the infant was discovered by a nine year old who had been playing near the beach on the south side of the island. The child had called others who swam into the lagoon and brought the tiny body ashore.

"When the infant was brought in we realized that it couldn't have been more than a few hours old and it still had the umbilical cord," said Areef. "We immediately called the Police station and they took over the investigation."

An islander from Dhanbidhoo said that he believed that the infant must have been born sometime during Monday night and that there was some sort of injuries on the infant's face near the nose. Another islander, a woman who had been there when the body had been brought ashore, agreed that there were no outwards signs of injury on the body except for a small minor injury below the nose.

The island office said that they have not received any reports of anyone on the island giving birth during the night and the Maldives Police Services said that they were still investigating the case.

<http://www.haveeru.com.mv/?page=enqdetails&id=7854>

#### Paragraphs 170 to 172 of the State Report

185. With pregnancies outside of wedlock the first instinct seem to be to hide it. This lead to abortions/infanticide. Illegal abortions in unhygienic conditions are undertaken, often in neighbouring countries (India and Sri Lanka being the main destinations). This remains a sensitive, taboo subject. There is no data available on the extent to which abortion/ infanticide exists and no studies have been undertaken.

#### Woman gives birth and dumps infant in dustbin

13 June 2006

The dead body of an infant was found in a dustbin in VilliMale last Sunday. According to reports the 25 year old woman who prematurely gave birth to the infant was five months pregnant and had moved to VilliMale only a few days before. It is unknown whether the baby was stillborn or not but reports say that the baby was dead when it was discovered in the dustbin.

A man who had assisted the Maldives Police Services in finding the woman said according to her the baby had small hands and legs when she was born.

"She said that she had gone to the toilet this morning when the baby came. She knew she was pregnant because she had missed her periods for five months now," he said. He further revealed that the woman was from Meemu Atoll Muli and that she was all covered in blood when they found her on the streets around 9:30am.

"She said that she had come to VilliMale just two days ago and that she didn't even know the name of the house she was staying in," he said. The woman was admitted to IGMH hospital and is under the care of the MPS. The MPS has said that the case was being investigated and that no information could be revealed while the case was ongoing.

[www.haveeru.com.mv](http://www.haveeru.com.mv)

186. Between June and August 2006, three cases of infanticide became public. In one case, a newborn boy was discovered dead on the water's edge of Laamu Atoll Dhanbidhoo. Following the discovery, the police asked the island chiefs to round up all the women on the island, including girl-children aged only twelve. The island summoned all women on the island between the ages of 12 and 45 to the Island Health Post where the island doctor who happened to be a man, without identifying any suspects, indiscriminately physically examined the women to determine who, if any of them, had given birth to the that day. At that moment all women on that island, including children as young as 12, were all suspects upon

#### **Police Defend Murder Investigation**

By Taimour Lay in Male'  
July 26, 2006

The Maldives Police Service has defended the conduct of its murder investigation on Dhanbidhoo Island.

A teenage girl suspected of abandoning her newly born baby in a lagoon was arrested last week, but only after every woman on the island between the ages of 12 and 45 was rounded up at the Health Post and subjected to a physical examination.

The Maldivian Centre for Human Rights and Democracy said this 'constituted a serious violation of their dignity and self-respect' and called upon the police to issue a public apology.

But the police have denied allegations that any of the women were forced to strip naked or were otherwise improperly treated.

An official told Haveeru News that 'when they had touched the girl's stomach the health worker had realized that the girl had recently given birth and so was identified as the dead infant's mother'.

The police maintain that the examination was limited to touching the abdomen.

One woman who was required to submit to the exam was reported as saying that 'she was not forced into doing anything she did not want to do during the search and that those involved had been very respectful during the check.'

But Aishth Velezinee, a spokesperson for NGO Hama Jamiyya, told Minivan News today that 'even touching the abdomen is a violation of those women'.

'It was totally unnecessary. The examination would not have even told them who had been pregnant. They say they are a modern police force, but instead of using DNA evidence, they check every girl and woman on the island in this way. The announcement was made over a loudspeaker and all the women were forced to go. There was no choice.'

Velezinee argues that the doctor who performed the examinations should have contacted the health ministry first, rather than simply follow police orders.

'I would not have sent my fourteen year old daughter to be checked like this', she said.

It also emerged this weekend that the infant had most probably been killed before being abandoned in the lagoon. Several witnesses said they could make out 'facial injuries' as the baby was recovered from the water. The alarm had initially been raised by a nine year old boy who spotted the body floating in a lagoon on the south side of the island on Tuesday.

A sixteen year old girl and her parents remain in detention.

The incident highlights the problem of young women given few options should they become pregnant outside of marriage.

"Cover up is the only option which, in reality means, there is no option", one woman said. "She could have undertaken an illegal abortion and gotten away with it if she had support of family and friends. Or she could've got married but that's not really possible for a child under 18 years of age."

The Maldives has a largely unrecognized problem of child abuse and teenage rape. A recent human rights survey found that 82% of the population believes that child abuse, especially of girls, is a serious problem in their communities.

The MCHRD has called for the girl's circumstances to be fully investigated.

[www.minivannews.com](http://www.minivannews.com)

whom was placed the responsibility of proving their innocence. All were guilty until proven innocent.

The police explained the physical check as “only abdomen pressing” (which is itself a violation of the women’s bodies), and refused to accept they had committed a degrading and humiliating act that violated human rights standards. Instead, they attempted to justify their action in the name of finding the criminal who had committed a very serious offence, the end justifying the means, and portrayed it as an example of “best practice”.

### **Paragraph 172 of the State Report**

187. Negligence law non existent and raising issues of negligence are discouraged.

#### **IGMH committee probes death of infant caused by delayed treatment**

23 July 2006

MALE, July 23 (HNS) – A committee comprised of doctors is investigating the case of death of a 10-month-old infant which was caused due to delay in treatment, Indira Gandhi Memorial Hospital has said.

The infant died in the Intensive Care Unit while undergoing treatment for kidney failure.

Acting director general Dr. Mohamed Solih said that the committee is being headed by Dr. Abdulla Waheed. He said that only doctors who were not IGMH staff members were in the committee to make sure that the investigation is conducted in a free and fair environment.

The infant’s mother told Haveeru Daily that her child died because of the negligence on the part of doctors and nurses at IGMH.

“I am sure that my child died because of the carelessness of IGMH staff. I went to IGMH to see if my child was dehydrated and to find the disease my child was infected with,” the mother said.

The infant died after both kidneys failed due to dehydration, the death certificate signed by a doctor said. The infant’s mother said that nurses and doctors at IGMH paid little attention to the child’s condition.

<http://www.haveeru.com.mv/?page=engdetails&id=7877>

188. There is no record of a case on negligence being tried Court. The Maldives Centre for Human Rights and Democracy attempted litigation on this most recent case of negligence, but the Court refused to accept the case asking to present complete with the outcome of investigations.

189. There is no legislation pertaining to parental negligence.

### **Paragraph 174 of the State Report**

190. All children do not have access to quality education.

191. Child prostitution - young children, both girls and boys, offering themselves for a “piece” (a shot of drugs in local slang) - is a rising phenomenon on the streets of the capital, Male’.

**Anecdote**

Ahmed, age 44 years

I was going across to the shop when this girl - a very young girl - sort of dropped on me, slumped on my shoulder and starting following me, all the time hanging on to me.

“I’ll do it for hundred.” She kept saying. When I responded I was on my way to the shop to get something they were waiting for at home, she still hung on to me.

She was like that when I went in to the shop and on the way back, until she suddenly let go of my shoulder just as suddenly as she fell on me.

Next minute she was on another man, repeating the same thing.

192. While there are no street children as in children who live for weeks or months on the street, there are a number of children in Male’ who spend a greater part of the day and night each and every day and night hanging on street corners and around the market.

193. Children of beggars spend their time on the streets begging with the parents.

**Paragraph 175 of the State Report**

194. No data on prosecutions and convictions. There are well known instances where presidential pardons were conferred upon convicted child sexual abusers, letting them free a few months after conviction. There is no counseling or psychological profiling before convicted child sex offenders are rehabilitated back into the community.

**Punish child abusers, says Rishtha**

"Child abuse is a big problem.... Far too many children are being sexually, physically and mentally abused," says 15-year-old Fathimath Rishtha Abdulmajeed from Malé, Maldives.

"I want to find solutions to these problems. Proper rules and regulations which can be included in the outcome document [of the UN General Assembly's Special Session on Children]," she says.

"The punishment for offenders should be harsher when disabled children are abused."

Rishtha, as she likes to be called, is in New York representing young activists from the Indian subcontinent at the Third Preparatory Committee meeting for the Special Session on Children. She was picked at last month's regional preparatory meeting in Kathmandu.

"We all had to give a speech and they liked mine the best. I promised to go back to them with solutions," she says, adding:

"I would like to go home and say that all the leaders here (in New York) listened to what children had to say and gave us full cooperation. We want the same thing from leaders in the Maldives too.

"My ideal world is a peaceful, child-friendly world with no distance between boys and girls. All abusers would belong in jail."

<http://www.unicef.org/specialsession/under-18/profile-rishtha.htm>

Fathimath Rishtha Abdulmajeed, 15, of Maldives attended the UN Special session on children in New York

**Paragraphs 176 and 177 of the State Report**

195. Quality of available maternal and child health services vary greatly in urban and rural areas.

196. Family Planning promoted as Child Spacing has resulted in a sharp decline in fertility rate. This in turn has disadvantaged some islands, as islands have to have a certain population to qualify for schooling upto Grade 10 or 12 and some islands

Even though the infant mortality rate is not very high on average, for the people of Laamu Atoll Maabaidhoo this is a very big problem, according to one Community Health Worker. She said that because they don't have a proper hospital and facilities such as scanning are not available, almost every pregnant woman would visit Gan Regional hospital every month for a check-up. This is expensive but it is the only option available. She said that by the time they give birth each and every couple would be in debt because most of the people borrow money. She said that in two cases the babies died on their way to Gan was confinement. The CHW said that it is very difficult for them to treat high risk patients because they don't have the proper facilities.

From the Fieldwork Report

## **Respect for the Views of the Child**

### **Article 12**

A number of children in a focus group (aged 10 to 12 years) mentioned that most of the children do not get the opportunity to choose their own friends. They said, even though they choose their friends there is a lot of pressure from parents, elders and sometimes from neighbours, asking them to stay away from a certain friend. Most of the time, they said, this happens due to a rumour about this certain child.

### **Paragraph 180 of the State Report**

197. There are discrepancies in law and actual practice.
198. In Court, children's views are only sought in custody cases, and that too only to literally to ask the child which parent the child chooses to live with. The asking or not asking the child remains the choice of the Judge.
199. Children in focus groups complained that parents made decisions without consulting them.

### **Paragraph 183 of the State Report**



200. The trainings in Male' and Addu Atoll were more in line with Sentencing Conferencing than Family Conferencing or Conferencing. Further, Family Conferencing or Community Conferencing as it is, cannot be effective due to the absence of supporting mechanisms such as juvenile custody institutions or detention centres for juveniles.
201. Some of those initially trained in the pilot project to start the family/community conferencing has backed out from further training posing a problem with developing the required human resource for an effective set-up.
202. There is a general lack of understanding of the concept of restorative justice. Some policymakers see rehabilitation and reintegration of juvenile offenders as a "soft option". Awareness of the issue needs to be raised in general, and especially among policymakers and law enforcers.
203. School regulations set by the Ministry of Education has not evolved with the changes in the juvenile justice policies. Children in conflict with the law are denied the cooperation of schools to give them a chance to continue their education.
204. While juvenile offenders in Male' are given the opportunity to continue school, those on other Atolls/Islands are often not given the same opportunity due to lack of understanding on the part of magistrates.

#### **Paragraphs 186 to 187 of the State Report**

205. Concept of Juvenile Judge does not exist although there is a separate Court in Male' that takes cases of juveniles. In the Atolls/islands, juvenile cases go through the normal adult Courts and there are no special provisions.
206. Currently there is only one single judge at the Juvenile Court in Male'. He has a local basic "judge" qualification with no other academic or professional qualifications. What actual positive change resulted from the short seminar and study visits is not evident, as it is the same judge who sentenced a child under 18 to life imprisonment.

#### **Paragraph 188 of the State Report**

207. Short "trainings" are often a way to utilise funds at short notice.
208. Periodic training are not assessed for effectiveness, nor are they followed by an impact assessment.

#### **Paragraph 190 of the State Report**

209. Inclusion or exclusion in forums, including children's forums, according to the perceptions of the general public, is a highly selective arbitrary and subjective process influenced by factors such as politics and parent's social/power status.

## IV. Civil Rights and Freedoms

### Articles 7, 8, 13-17 and 37(a)

#### Name and Nationality Article 7

##### **Maldivian Name Nazis**

Royal Editorial  
26 February 2005

*By insisting that a child's name registered at birth be changed, the Republic of Maldives may be contravening Paragraph 1 of Article 7 and Paragraph 1 of Article 8 of the Convention on the Rights of the Child which it ratified on 13 March 1991.*

The Maldivian republican authorities impose names on children of Maldivian nationals. Parents have to apply to a government committee to have the proposed names for their children approved. This system was introduced in the 1990s ...

It is generally understood that a permissible name must:

- be in Arabic,
- be in a language regarded by the Maldivian republican rulers as being totally assimilated into the culture of their Arab masters, such as Urdu or Persian.
- be able to be written (in the opinion of Maldivian bureaucrats) in the Arabic script. By insisting on this, the Maldivian republican rulers are inadvertently insulting the language of their colonial masters. They probably do not realise that names of "unmentionable" people such as George Bush, Ariel Sharon and John Paul II can also be written in the Arabic script- even Arabic is not that clumsy.
- under no circumstance be Jewish or sound Jewish or be derived from a Jewish name. Exceptions are only granted to close relatives or in-laws of the president of the republic who may wish to name their child, for example, Jude (a Jewish name meaning "giver of joy"). Some Jewish names mentioned in the Koran are permissible, if appropriately mispronounced.
- under no circumstance be in a Western language of ... Christians.
- under no circumstance be in the Divehi (Maldivian) language which is earmarked for ultimate obliteration and replacement by Arabic, the language of the master race and official language of the future Islamic Arab Emirate of al-Maladifiyin.

It makes these meaningless rules all the more comical when we find out that there are several Maldivians who already have names such as Roy, Donmaniku, Jennifer, Nimal and so on.

When we gave our son the first name of Dylan and the middle name of Arias, frightened well-wishers contacted me to say that Dylan would spend a lifetime as a non-person because his names represented a deliberate affront to the Maldivian Name Nazis. Many people attempted to bully relatives into persuading me to change Dylan's name. I was told that I had blatantly contravened not one, but three sacrosanct rules of the Name Nazis. Dylan's first name is Western and allegedly cannot be written in the Arabic script and his middle name Arias is (God forbid) in Divehi, the language of his forebears.

Like the once-proud civilisations such as Egypt, Iran and the portions of India now known as Pakistan and Bangladesh, the Maldives is fast becoming part of the Arab homeland- thanks in part to the Name Nazis.

[http://www.maldivesroyalfamily.com/editorial\\_maldives\\_name\\_nazi.shtml](http://www.maldivesroyalfamily.com/editorial_maldives_name_nazi.shtml)

(edited for inclusion in this report)

### **Paragraphs 191 to 193 of the State Report**

210. Children nor adults have the right to give up citizenship in reality, although Article 14.2 of the Constitution bestows this right.
211. No Maldivian carrying dual citizenship is permitted entry into the Maldives on any other passport other than a Maldivian passport.
212. Although it was the local tradition for children to have two given names, not being compulsory that either of these names is the family name, the practice has changed in recent years with formal and informal pressures to carry the father's name. Children today are usually given three names, two given names and the father's name. With this practice it is now easier for children born out of wedlock to be identified. Children born out of wedlock are stigmatised and the prevailing naming practices has opened the possibility for children born out of wedlock to be more easily identified and ostracized.
213. The name chosen for a child by parents are scrutinised by the Government and registered only with the approval of religious authorities.

### **Paragraphs 194 to 198 of the State Report**

214. There are discrepancies in laws and regulations on birth registration and related issues administered by various government departments as well as with cultural practice.
  - Law No. 7/92 requires that all births be registered within 7 (seven) days. The seventh day is the day when, culturally, Maldivians name their child. If the period was longer (for example 15 or 30 days) it would be less burdensome on the new parents as the registration and the issuing of birth certificate can be completed in one process.
  - The process of hospitals and birth attendants informing the authorities will ensure that this 15-day
  - A three month period is given to get a birth certificate. However, the child has to be registered in a home (permanent address) within one month of birth, and this registration can only be carried out upon producing a birth certificate.
215. The inclusion of "father's occupation" on the birth certificate (which is often not simply profession but job title, eg. 'Minister of .....') is an unnecessary "status-symbol". It sets up hierarchies, and carry consequences on the child. Further, the birth certificate (like other official documents such as the 'Parent-

Teacher Communication Book') are designed upon the gendered notion that the father is the breadwinner and mother a housewife.

216. On the birth certificates of children born out of wedlock it is clearly stated that father is unknown. This is a shame that the child has to bear throughout life, have different detrimental effects at different stages of his/her life.

## Preservation of Identity

### Article 8

#### Paragraph 203 of the State Report

217. The Law refuses to recognise the paternity of children born out of wedlock, and children born out of wedlock cannot carry the father's name.

## Freedom of Expression

### Article 13

#### Paragraphs 205 to 207 of the State Report

218. Children are often discouraged from expressing themselves in schools etc.

219. Children's natural curiosity is killed as questioning is equated to being naughty.

220. The right to expression is given only in organized, heavily orchestrated fora.

221. Children do not have the opportunity for

#### **Police hands over 22 detained minors to URC**

25 August 2004

MALE, Aug 25 (HNS) -- Police have handed over to the Unit for the Protection of Children's Rights 22 minors detained following demonstrations at the Republic Square in Male on Aug 12 and 13.

However, Asst. Comm. of Police Maj. Mohamed Sodiq said that children detained for more serious offences during the mob violence were still in police custody.

URC director Dr. Aishath Shiham said that the average age of the children handed over to the URC by police was 17.

"After discussing their cases with parents and guardians, we have released 19 children to them," Aishath said.

The other three children have been sent to the juvenile center in Maafushi island as their parents and guardians were presently not in Male to take them home, and for other reasons, she said.

But these children will not be allowed to go out of their homes unless to school and to participate programs organized by URC, Sodiq said.

"We have told the parents and guardians that we will be monitoring these children's behavior," he said.

Aishath said that counseling sessions are now being undertaken for these children.

Schooling and skills training are also planned for them.

Maldives Association of Performing Arts have pledged to conduct printing and photography courses for these children while URC is also in contact with the Youth Ministry to arrange additional programs, Aishath said.

individual expression as schools have strict rules governing not just uniform, but hairstyle etc. All girls must plait their hair, or tie if it is too short to be plaited. Girls from grades 1 to 7 must plait on two sides of the face. Girls from grades 8 to 12 must have one plait at the back. Failure to adhere strictly to these rules can result in punishment. The stress is on uniformity and

conformity rather than the right to develop as individuals with the right to freedom of expression.

## Freedom of Thought, Conscience and Religion Article 14

### Paragraphs 208 to 210 of the State Report

#### **They Told Me I Was a Faithless Muslim**

(A life-experience essay contributed by 'Sara' age: 15 years)

'Burugaa alhanjeheyneyey. Ehen nooniyyaa...narakayah dhaane' (If you don't wear a veil...you will go to hell) This is what I have been told repeatedly.

It's a Burugaa-mania or maybe another fanatical fashion-passion or trend. I heard my friends call me an 'Incomplete Human' or suddenly claim that I was not a true believer of Islam. Every time I was unjustly confronted, I pretended I didn't hear. I could have blindly defended myself, but the whole armada was against me. Keeping everything to myself, I silently thought. Just because I didn't wear a veil did that mean I treated my parents badly? Did that mean I was involved in violence or crime? Did that mean I mistreated the helpless? Or did that mean I was advocating insolence? I was confused.

Walking on a common street recently, something quite peculiar caught my eye. Making sure not to stare rudely I observed a little. There was a girl, maybe in her late teens, and she was wearing a veil. Her t-shirt was extremely short, nearly up to her waist, and her ample bum was evident, for all eyes to feast upon. Then there were her jeans. The appropriate term to describe it would be 'second skin'. They were so tight that it appeared suffocating. Now I was not sure what was worse. Here, I was dressed decently enough in a pair of baggy trousers and a loose t-shirt, which was properly below my waist and my hair, neck and my arms were visible for all to see.

Here is another incident. Sometime last year, I was on my daily jogging-routine with my mother. The time was roughly after dusk. We had just approached the artificial beach area, behind the Alimas Carnival. While we were coming that way, I noticed some people sitting in the dark. When we came closer I noticed that it was a man and a woman. I was wide eyed with surprise when I noticed they were hugging and kissing and doing God-knows what. And moreover, I was surprised down to my wits when I realized the woman was wearing a veil. Extremely embarrassed I looked away; I felt so disgusted with the whole gruesome image and felt sorry for my poor country.

Here I was a decent girl who was devoted to her parents and future and I was a person who never involved herself in such filthy acts. But yet, I was tackled by my society just because I didn't wear a veil.

I remember an argument I once had with a person who claimed that he was a better Muslim than I was by means of what his definition of a better Muslim was. He claimed that he was a better Muslim compared to me because I wasn't wearing a veil. He declared that I was committing the ultimate sin. The truth is, this was the person who earlier, described to me his romantic and intimate episodes with his girlfriend and details of whatever private acts that they had done on a beautiful full moon. The most appalling part is that his girlfriend indeed wears a veil. Here I was, with no history of any private relations with a man. I had always truly believed that I would one day get married to a decent Muslim man and support a family when the time comes. But just because I didn't wear a veil does that give those who do, any privilege to categorize me?

I once heard a great local scholar mention that there are different interpretations of religion and Muslims are free to believe in what they want considering that it does not go against the basis of Islam. Though I don't know much about the history of Islam, I know enough to understand that God asks us to pray; to be truthful to ourselves and to God, to give; to help those who need and to help us feel good to ourselves, to be honest, truthful and to give and gain respect. I know that crime, theft and violence are not accepted in Islam and I have learnt that the purpose that I was sent was to be faithful to God, my parents and myself. As far as I am concerned I do put an effort to fulfill these. This is who I am; Allah is in my heart. My discipline. And my beliefs. My religion is not the Buruga I wear.

222. Any discussions on freedom of thought, conscience and religion or belief arouses emotions that cloud any intellectual debate. Fear that Islam and Maldivian identity are threatened bar debate.

## Recommendations

223. It is recommended to:
- i. Take a zero tolerance approach to child sexual abuse, by
    - Encouraging the reporting of child abuse through stringent respect for privacy, enduring victims and not further victimized.
    - Formulating evidence laws that facilitate conviction of child sex offenders.
    - Establishing harsher sentences for convicted child sex offenders to show zero tolerance of the practice.
    - Ensuring convicted child sex offenders do not have access/ close proximity to children.
    - Placing constitutional restrictions on executive powers to confer pardons on child sex offenders.
  - ii. Review legislation, policies and practices related to children born out of wedlock.
  - iii. Re-visit nationality and citizenship laws.
  - iv. Introduce flexibility in schools so that rigid rules and regulations do not force children out of the education system.
    - Differences in belief be acknowledged and tolerated in the best interest of the child so that it does not interfere with a child's education and development etc.(For example, rules forcing the shortening of veils to reveal the school badge on the breast pocket can be changed to accommodate girls who choose to wear the veil. For boys, the length of their trousers should not become a barrier to continuing their education).
  - v. Inculcate respect for the views of the child.
    - Promote rights of children to express themselves, amongst parents, caregivers, teachers etc.
    - Introduce forums for children to express themselves at classroom level etc. to enable children to develop capacity to think independently, build confidence in expressing themselves, and feel their own self-worth.
  - vi. Involve children and youth in policy making, especially with regard to CRC implementation.
  - vii. Strengthen monitoring and impact assessment of project/activities undertaken.
  - viii. Promote research, publishing and debate on child rights issues.

## Freedom of Association and Peaceful Assembly **Article 15**

### **Paragraphs 211 and 212 of the State Report**

- 224. Freedom of association is often limited to state orchestrated events. Public right to express themselves is tightly narrowed by presidential decree.
- 225. Children are officially discouraged from participating in peaceful assembly through government propaganda portraying rallies as violent, and labelling children/youth who participate as juvenile delinquents.
- 226. Lack of security and the fear of heavy-handed police action, lead UNICEF in Maldives to discourage children from joining in a peaceful rally organized by the opposition in January 2006.
- 227. The State Report contradicts itself in saying children are not legally permitted to participate in associations, and in paragraph 211 of the State Report asserting that nine percent of youth aged 14 and above are members of civil society organisations.
- 228. Children can only join associations within schools.

## Protection of Privacy **Article 16**

### **Paragraphs 213 to 214 of the State Report**

- 229. There is no avenue for individuals to get justice where constitutional guarantee of privacy is violated.
- 230. Defamation and libel are criminal violations and can only be prosecuted by the State, although the Attorney General has announced that they would be made civil offences.
- 231. The State has shown indifference to individual rights being violated, including those acts where children's honour and reputation are attacked in violation of children's right to privacy.

## Recommendations

- 232. It is recommended to:
  - i. Abolish presidential decree narrowing freedom of assembly.
  - ii. Allow children to form associations on their own initiatives.
  - iii. Adopt legislation that respect freedom of assembly as a right.

- iv. Make defamation and libel a civil offence.
- v. Educate and regulate media to discourage violation of children's privacy.

## Access to Appropriate Information **Article 17**

### **Paragraphs 216 to 218 of the State Report**

- 233. There is very little information relevant to the child broadcast on state television or radio.
- 234. Community or commercial television or radio stations are not available.
- 235. There are no newspapers/magazines especially for children, although most of the daily newspapers carry a page or two a week for children.
- 236. Children in islands have very little access to reading material, with no libraries in the schools.
- 237. Children's programmes, especially on TV Maldives, give too much time to propaganda and lecturing children.

### **Recommendations**

- 238. It is recommended to:
  - i. facilitate children developing their own media (magazines, radio and television programmes) for children.
  - ii. eliminate propaganda

## The Right Not to be Subjected to Torture or Other Cruel, Inhuman or Degrading Treatment or Punishment **Article 37(a)**

### **Paragraph 221 of the State Report**

- 239. Whilst no "physical punishment" may take place in schools, schools practice suspension from school and even expelling from school without counseling or due action. For example, Girls are sent home from school for wearing eyeliner to school. Boys are sent home for their hair touching their collar, and at times school have cut off children's hair for repeatedly failing to cut their hair as instructed.



### **Paragraphs 222 to 224 of the State Report**

- 240. The official helpline is currently inactive. Even when the official helpline was active, it was operational only during official working hours, i.e. 0730 to 1430 hrs.
- 241. The child counselling services at the now Child Protection Services are organised along bureaucratic rather than child-friendly lines. The building where the services is located is shared by other sections and all the staff as well as anyone else present there at the time can see who goes in and out.

### **Paragraphs 225 to 228 of the State Report**

- 242. While ad hoc activities related to ceremonial events are conducted, these do not necessarily have the desired effect or bring about sustained change. A more systematic approach is required for a real impact to be made.
- 243. At times, trainings are conducted simply for the sake of training. The trainees are often not given to the most appropriate officials, perhaps for the lack of such officials. For eg. Members of the Island Women's Development Committee, school teachers and health workers are participants of trainings on investigative skills.

### **Paragraphs 229 to 231 of the State Report**

- 244. The use of medico-legal evidence remains at a conceptual level.
- 245. There is no legal basis to bring to apply medico-legal evidence.
- 246. Practical constraints to the use of medico-legal evidence exist, such as Courts work in Dhivehi language and doctors work in English preparing all reports etc. in English. Not all judges understand English enough for evidence in English to be used in the obsolete Court Room. Translating medico-legal evidence from English to Dhivehi, is not viable as much would get lost in translation rendering the evidence obsolete.
- 247. Conviction of child sex offenders remain extremely low due to the practice of confession or witness reports to convict.
- 248. In at least one instance, a convicted child sex offender was pardoned by President Gayoom without serving his full sentence.

### **Recommendations**

- 249. It is recommended to:

- i. re-activate the helpline at child protection services and make it a toll free service.
- ii. Ensure easy and direct access by children to child protection services
- iii. abolish all degrading practices, especially during criminal investigations.
- iv. develop the necessary framework to allow use of forensic evidence, especially in crimes such as child abuse and sexual offences.
- v. establish standard of proof to convict child sex offenders
- vi. re-examine the sentences due to child sex offences with a view towards making it harsher.
- vii. ensure no convicted child sex offender is pardoned under any circumstances

## **V. Family Environment and Alternative Care**

**Articles 5, 18.1–18.2, 9-11, 19-21, 25, 27.4 and 39**

### **Parental Guidance Article 5**

#### **Paragraphs 234 to 240 of the State Report**

- 250. The Family Law in legislation and in practice put much emphasis on the preservation of marriage, without considering that it may not be in the best interests of anyone to do so. The failure of the Family Law to bring down divorce is clear evidence that legislation alone cannot solve social problems.
- 251. The psychosocial support networks necessary for the proper application of the Family Law has not been developed yet, although the Law has been in force for nearly five years.

### **Parental Responsibilities Article 18.1-18.2**

#### **Paragraph 241 of the State Report**

- 252. The State places undue responsibility on parents to take responsibility for social ills, without providing the necessary social infrastructure or social security measures to support and facilitate parents in dealing with issues.

### **Separation from Parents Article 9**

#### **Paragraphs 246 to 249 of the State Report**

- 253. There are many different categories of children separated from parents. One is children at risk due to parental neglect, parental drug abuse etc. The other are children in smaller islands forced to voluntarily live separate from parents to achieve an education in a bigger island or Male’.
- 254. Priority of custody to mother is granted as a matter of course. Even where the mother expresses difficulty or unwillingness to take custody, she cannot give up custody unless the father initiates his wish to have custody of the children.
- 255. Even where the Court finds the mother unfit for custody the burden of care falls upon the maternal grandmother before the natural father.
- 256. The Family Law presupposes woman as primary care-taker.

257. The father has legal rights over the child at all times regardless of who has custody and is responsible for the day to day care of the child, and even whether the father pays for the maintenance of the child or not.
258. Visitation rights are not stated. It is assumed.
259. Child support are set based on average income rather than the expenses incurred in bringing up a child, with the Judge having the discretion to set child support higher based upon the income situation of the father. However, Judges do not set child support higher than the minimum recommended amount.

**25 children under nine-years-old in Vilimale children's center since parents arrested for drug crimes**

29 March 2006

MALE, Mar 29 (HNS) - There are 25 under nine-year-old children in the Vilimale center taking care of children since their mothers have been arrested for drug related crimes, President's member and a senior official of the Gender and Family Development Ministry Mazeenaa Jameel has said Tuesday.

Speaking during the committee stage of the proposal by Male member Ibrahim Ismail to research the drug business and the abuse of it and to form a Majlis committee to advise the government on ways to eradicate the drug problem Mazeenaa said that it was deeply worrying to forecast the future of such helpless children.

She said that thinking that the treatment of addicts is a viable solution could be a wrong assessment and that the drug problem needs to be thoroughly researched.

Many members took part in the debate on this issue. Most of the members who spoke supported the creation of a committee. Some members said that a committee formed should be a functioning one rather than just being named as a committee. They said that the duties of the committee should be detailed and that the committee should not have any implementation work but that it should be doing monitoring work.

Proposing to form a committee Ibrahim Ismail said that the crime rate has gone so high that the society is on the verge of degeneration and that it was causing physiological problems to the people.

Speaking on the issue from as a representative of the State, Attorney General Dr. Hassan Saeed said that because of the increase in the number of those arrested for drug related crimes the jail, an Feydhoofoolhu island is also getting filled.

Even when the Majlis session ended there still were members who wanted to speak on the proposed matter.

## Recommendations

260. It is recommended to:
  - i. find a way of guaranteeing visiting rights to parents without the interference of the parent having custody
  - ii. promote the notion that a child cannot be divorced together with a wife.
  - iii. encourage both parents' full involvement in the child's life even after divorce

## Family Reunification **Article 10**

### **Paragraph 251 of the State Report**

- 261. Foreigners (both men and women) who marry Maldivians and have children must leave the country and child upon divorce, as the marriage visa is automatically cancelled. Divorced parent are not granted visa to remain with their children.
- 262. A foreign parent is not granted custody except in exceptional circumstances where the local partner wishes to do so.
- 263. Children born to Maldivian fathers or mothers cannot be registered as Maldivian citizens if the Maldives does not recognise the marriage.
- 264. Children born to Maldivian mothers or fathers do not get free visa (other than the 30 day tourist visa) to stay in the Maldives if the marriage is not recognised by the state.

## Recovery of Maintenance for the Child **Article 27.4**

### **Paragraphs 254 to 256 of the State Report**

- 265. The Court in all cases order the payment of maintenance as specified by the Law. However, the amount granted is minimal and cannot practically support a child where the mother or primary caregiver has no other means of income.
- 266. While the Family Law grants the Court the discretion to raise the maintenance based upon the circumstances of the father, the Court invariably sets maintenance at the minimal rate specified.

## Children Deprived of their Family Environment **Article 20**

### **Paragraph 258 of the State Report**

- 267. The State Report assumes the high rate of divorce as the factor for children being deprived of a family environment. This is a mis-representation as high divorce has been existent in the Maldives for centuries and was very much a “cultural practice”.

268. The current need for a support system to care for children deprived of a family environment is more to do with the very high rate of drug abuse and lack of an effective mechanism to treat drug addicts as victims rather than criminalising them.
269. Also, there is the issue of children forced to separate from parents and live with relatives, friends or strangers, at a young age, for study.

## Recommendations

270. It is recommended to:
- i. Train staff based on a specific needs analysis
  - ii. Acquire mature staff for the Children's Home
  - iii. Allow access to NGOs to institutions housing children, for independent monitoring of conditions and facilities.
  - iv. Try to find child-friendly alternatives to institutional care.
  - v. Develop and implement necessary legislation.
  - vi. study and assess the number and circumstances of students from other islands living with host families in the capital Male'
  - vii. increase safe boarding facilities for students from other islands in Male'

## Adoption

### Article 21

#### Paragraphs 270 to 272 of the State Report

271. As adoption in the western model is discouraged in order to ensure the identity and paternity of children are known to the child and established, it is possible to find a solution similar to adoption taking this into consideration.

## Periodic Review of Placement

### Article 25

#### Paragraphs 273 to 274 of the State Report

272. It is important that an independent mechanism for monitoring exists.

## Abuse and Neglect, including Physical and Psychological

## Recovery and Social Integration

### Articles 19 and 39

#### Paragraphs 275 to 281 of the State Report

273. There is very little preventive action evident, apart from legislation.

274. Child abusers, including child sexual abusers, convicted of the crime are negligent due to non-existent evidence laws.
275. Socio-economic factors which hinder child sexual abuse cases being reported have not been addressed.
276. People who do report cases of abuse, are left feeling frustrated and helpless.
277. The increasing number of children falling victim to drug abuse needs to be addressed by taking preventive measures to stop children becoming victims of drug peddlers.

### **NNCB estimates drug addicts' number to be about 3000**

18 April 2006

MALE, April 18 (HNS) – National Narcotics Control Bureau has estimated the number of drug addicts to be some 3000 people.

Speaking at a media conference organized by Information Ministry, NNCB's head Dr. Abdullah Waheed said Monday that some people exaggerated the number of drug addicts.

Dr. Waheed who is also the Deputy Minister of Gender and Family said that those exaggerations are baseless.

"Carrying out a survey by taking information from the drug addicts is not a reliable method. The reason is that most of the time the drug addicts do not give true replies to questions asked. For this reason the number of drug addicts has to be estimated. The estimate is made taking into account police records and information of those who get treatment for addiction. The Bureau estimates the number of drug addicts to be something between 2,000 to 3,000," Dr. Waheed said detailing on how the estimate was made.

### **Recommendations**

278. It is recommended to:
  - i. Ensure child protection services are accessible direct by children.
  - ii. Activate the child protection hotline
  - iii. Conduct more focused activities to prevent child abuse and sexual abuse
  - iv. Address socio-economic factors to ensure people do not refrain from reporting child abuse cases due to other concerns such as worries about livelihood loss.
  - v. Develop an effective way to protect children from drugs.

## **VI. Basic Health and Welfare**

**Articles 6, 18.3, 23-24, 26, 27.1-27.3**

### **Disabled Children Article 23**

#### **Paragraphs 302 to 333 of the State Report**

- 279. There is no special measures to allow access to health services to disabled children.
- 280. The Home for the Disabled and Elderly in Guraidhoo has more elderly persons deprived of family care than disabled people.
- 281. The 2000 Government Survey to assess the number of disabled was faulty in design and may have provided a distorted figure. The survey, looked to measure the number of disabilities a person had, allocating points for each separate disability, to establish a monthly allowance for the disabled. For example a child with a limp and one blind eye may be eligible for benefit while a child who cannot stand up on his/her own may not.
- 282. In islands, it is common for children with mild disabilities to stay out of school simply because they are disabled and not go to school like normal children.
- 283. The CARE Development Centre is overwhelmed with demand and need further expansion.

### **Health and Health Services Article 24**

#### **Paragraphs 334 to 435 of the State Report**

- 284. The number of health facilities has increased, but poor quality, or people's perception of the poor quality of health care available, has increased the number of people going abroad for medical assistance either with their own funds or through welfare assistance.
- 285. One major difficulty faced by islanders having to come to Male' or visit a Regional Hospital seeking medical assistance is the lack of affordable accommodation for the patient (if an out-patient) and the caregivers. In Male', a Guest House costs where locals stay cost on average Maldivian Rufiyaa 200.00 room only (roughly US\$20.00) which is a very high price on top of medical expenses.



286. The welfare system, even when paying for hospital bills in Male' for a needy person from the Atolls, do not provide assistance towards other basic expenses such as accommodation and food.
287. Welfare assistance remains a privilege rather than a right.
288. Women, including girls, who get pregnant out of wedlock do not attend prenatal care due to shame and fear of prosecution.
289. The extent to which unsafe abortions are carried out remains unknown.
290. Malnutrition in the Maldives is in general associated not with an absence of food, but lack of awareness and unhealthy eating practices.
291. There appear to be no agency monitoring food handling – For example, in transition to shops, and customers, perishable food like fruits, milk and yoghurts are often left out in the sun for many hours.

## HIV/AIDS

292. The very low figures on HIV/AIDS in the Maldives may hide the extent to which it exists in the Maldives.
293. There exists a mandatory HIV screening programme that targets people who have been out of the Maldives for a period of six months or more. The frequent weekenders to Sri Lanka, India, Thailand etc. who may be involved in risky lifestyles are not tested.
294. The Rapid Assessment Survey on drug abuse shows young Maldivians engage in risky behaviour and unsafe sex practices.

## Recommendations

295. It is recommended to:
  - i. address the issue of teenage sexuality and pregnancy
  - ii. study the issue of abortions and infanticide
  - iii. make prenatal care available to all even in cases of illegal pregnancy
  - iv. ensure social security to all as a right instead of a privilege granted ad hoc
  - v. establish effective monitoring of HIV/AIDS and provide medical care to those affected.
  - vi. establish monitoring of food, so that it reaches consumers uncontaminated.

## Social Services, Childcare Services and Facilities Articles 26 and 18.3

### Paragraphs 446 to 455 of the State Report

296. Although the title of the Ministry was changed from Social Welfare to Social Security, there is no concept of social security in practice. What exists is an ad hoc welfare system where the needy and the not-so-needy who know how to use the system to their advantage can apply for assistance.
297. Welfare assistance by the Government is not accessible to all equally due to various factors, one simple one being that it remains a humiliating “begging system” which hinders some needy people from approaching for assistance.
298. Different standards (criteria) applied to determine need in by Presidential Palace and other ministries. Standards are not known to the public.
299. Welfare assistance is most often requested for medical reasons, especially to go abroad (to Sri Lanka and India) for treatment.
300. The Government welfare system is fragmented over various agencies and it is difficult to ascertain how the funds are utilized. For example, the Presidential Palace runs its own welfare scheme simultaneous to the one by the Ministry of High Education, Employment and Social Security, Ministry of Defence and National Security etc.
301. There is no assessment of income or wealth distribution, making it difficult to ascertain who is in need or not.
302. Pensions are granted only to civil servants who have worked for a continuous 20 years in Government.

## Standard of Living Article 27.1-27.3

### Paragraphs 456 to 462 of the State Report

303. With a very high rate of urban migration, affordable housing is an acute problem in the capital Male’. At the same time, there are islands with deserted homes as people move to Male’ in search of employment, better education for their children, and with aspirations for a better life.

## VII. Education, Leisure and Cultural Activities

### Articles 28-29 and 31

#### Education including Vocational Training and Guidance Article 28

304. The stress is on formal education, rather than on alternative vocational training.
305. Policies and practices often discourage children from continuing with school. Some case examples are :
- i. A boy in Grade 9 (age 14) of Dharumavantha School refused to go to school. The mother contacted the school to ask if he had got into any trouble to try and understand why he refused to go back to school. The school informed her nothing happened and asked to send him to school. He refused. The school then contacted the mother weeks later, on the day before the exams to ask her to send him in for exams. He went and sat for some exams but still refused to go to class. He stayed out of school the rest of the year going in for some exams. At the end of the year he went and collected his report card for the year (2005) and found he was promoted to Grade 10.  
When school re-opened in 2006, he turned up in school on the second day to find he was not on any class register. The school then informed him that he had been expelled according to Ministry of Education rules, for staying out of school.  
(reported by the mother of the boy)
  - ii. A boy in Grade 9 (age 15) of Male' English School was reprimanded for having his trousers above ankle level. He believes it is the way of the prophet and refused to wear it any different. School guidelines are very strict on uniform code and he was constantly harassed by the school authorities with demands to lengthen his trousers. He refused to lengthen his trousers and dropped out of school.  
(reported by a teacher)
  - iii. A veiled girl in Male' English School (age 15) was continuously reprimanded as her school badge was hidden by the veil. To show the badge she had to raise the veil above her bosom and she dropped out of school refusing to have the veil over the bosom.  
(reported by a teacher)

306. There is concern about discipline in schools as well as quality of education in schools in general.
307. Universal primary education need to be achieved with quality education. When students in islands that teach up to Grade 7 move to another island with better education facilities and have to repeat Grade 7 or sometimes Grades 6 and 7, it disadvantages the student.
308. With reference to paragraph 492 of the State Report it would be useful to see a breakdown of the Education sector budget.
309. Teachers in some island school teach in Dhivehi not due to flexibility but because there is no capacity to teach in English. Students in these Dhivehi-medium schools are not prepared adequately to continue into secondary education and sit the Cambridge GCE exams which is undertaken in the Maldives.
310. All school age children do not access schooling, though figures are not available.

## Recommendations

311. It is recommended to:
- i. address disciplinary issues in schools
  - ii. monitor and detect truancy, towards bringing all school-age students in to the education system
  - iii. make education compulsory
  - iv. educate parents with different views to encourage them to enroll students in an acceptable educational facility.
  - v. work towards providing same quality education in all schools
  - vi. take a flexible approach giving priority to keeping the child in school

## Aims of Education

### Article 29

312. How far the existing education system contributes to achieving the aims listed in paragraph 541 needs to be studied, and addressed.

## Annex 1: News and Views

### DRUG ABUSE



#### **Police disciplines 78 people in 4 days**

*Mujey*

*Haama News*

*27-07-06*

Maldives Police Services in its operation to contain traffic violations in capital Male', one of the most densely populated capital cities in the world that is on a small island, within four days during this week has disciplined 78 people, said Ministry of Transport and Civil Aviation.

Mohamed Azim, an executive at the ministry, said that driving-licenses of 40 people among the 78 traffic violators were suspended. The rest were offenders who did not either pay the annual fee or did not renew roadworthiness-certificates.

According to Azim licenses of the offenders were suspended as some of the holders did not stop for red-lights, talked on the mobile phones while driving and ignored one-way sign boards.

Azim said that 26 people were disciplined for ignoring one-way sign boards.

Meanwhile police is conducting an operation in Male' to combat drug offences, thefts and snatchings - an offence mainly committed by youngsters suspected of using illicit drugs.

The Transport Ministry is working day and night with the traffic police personnel who are active on the streets.



### Touring Addu

**20 July 2006**

Hiking through the once prosperous islands of Addu Atoll today, **Ali Rasheed** sees both beauty and decay.

It is the full moon on Meedhoo. In the Koaganna, believed by some to be the oldest cemetery in the Maldives, arrays of tombstones are bathed in the moonlight. Intricately carved and standing higher than the tallest Maldivian, many of the headstones emit a splendor which is no longer discernible in the lives of the people of Addu.

Up until middle of the last century Addu Atoll, separated from the rest of the Maldives by the Equatorial channel, conducted external trade without the interference of central government in Male'. The rich had their own ships, which traveled to and from the subcontinent, exchanging goods and bringing in considerable wealth to the atoll. During the Second World War, the British had a garrison in the atoll and afterwards, from 1957-1976, a staging post in Gan and part of Hithadhoo. Some of the older citizens today regard the period with nostalgia, and it is easy to see why.

The British employed many locals, and paid them in Sterling, which became the currency of Addu. A friend of mine, who grew up in Hithadhoo in the early seventies, said that Maldivian notes were so rare that people usually preserved them as souvenirs. Serving the British also fostered two skills that still survive in the people today: the ability to communicate in English and an unrivalled sense of hospitality.

The bliss did not last. Encouraged by the British and joined by the neighbouring atolls, Addu Atoll attempted to form the independent Republic of United Suvadives. But the Maldivian government made its own deal with the British and, without the external support, the breakaway republic crumbled four years after it was formed. Successive Maldivian governments never really forgave Addu, and the atoll has never regained its former glory.

Today, the islands are riddled with unemployment, drug addiction, and crime. On Meedhoo, women are afraid to go out in the dark; assault and break-ins are commonplace.

### **Empty houses**

Meedhoo shares its land with another community, which is separately administered. Only a kilometre or so away, the most striking thing about Hulhudhoo is the large number of empty houses, many of them lavishly built. With 65 percent of its registered population away, Hulhudhoo currently has the highest non-resident population in Addu Atoll. Overall, nearly 40 percent of the Addu's population resides elsewhere.

Many families from Hulhudhoo have settled in Male and overseas, in pursuit of a life they have not found at home. An elderly woman and her neighbour, who seemed glad of the chance to chat, told me what it was like to remain on the island. The two spend much of their waking hours alone, in the hope of re-uniting with their families one day. Their greatest wish is to see the empty houses around them alive with people again.

### **Absent fathers**

Feydhoo, a short boat ride away across the sea, seems more awake. Of all the islands of Addu, Feydhoo has the highest number of people working in the tourist resorts, most of which are two days away by sea. It is not widely known that the island suffered substantial indirect

economic loss, when the tsunami hit the Maldives in 2004, destroying several tourist resorts. Many of the Feydhoo workforce in the tourist sector suffered redundancies.

With men away in the resorts, it is up to the women to deal with day-to-day challenges at home. For many resort staff, family time adds up to only a year for every 18 years of toil. This means they cannot participate or see their own children grow up; nor are they present at deaths and other milestones in their families.

Walking along Feydhoo's harbour on the recently built Link Road, which connects the four main islands of Addu, I crossed a bridge to Maradhoo-Feydhoo and Maradhoo, more examples of separately-administered communities on the same island. When the British moved the people of Gan to Feydhoo, Feydhoo's own population, in turn, had to move to Maradhoo, and became known as Maradhoo-Feydhoo. The two communities still see each other as two separate units. I could not tell where I left one and entered the other's territory.

### **Margins**

I got off the Link Road and cut across the settlement, coming up to a corner by the sea. In what looked like a rubbish dump to me, stood a house, made mostly of corrugated sheets. There was a TV set inside, blaring out Hindi film music. Three kids ran in and out the different parts of the house, while a man in his twenties sat on a joli outside.

The appearance and the behaviour of the older girl, a thirteen year-old, struck me as odd. Her tiny face registered a hardship and maturity beyond her years, and she was being unusually “touchy feely” with an older male visitor who, I learnt, was not a member of the family. When he left, she turned on her younger brother, spouting filth and chasing him all over the house. When she caught him, she brought him down on the ground and started punching his face. Fortunately, their father arrived and the fight was broken up.

A neighbour told me that they tried to avoid the family, because of their unconventional behaviour and filthy language. Apparently, the parents are divorced, but living together. None of the children go to school, and the older girl is a heroine-addict. The family lost a toddler a few months ago, when the child, who had been left alone in the house, was discovered dead in the water.

The island administration is aware of all this, but lacked the will, financial and psychosocial resources needed to assist disadvantaged sections of the population to emerge from their poverty-ridden nightmare. A recent UN report found that household income levels in the south of the Maldives doubled in the last decade or so. But the prosperity has not trickled down to the family living on the edge of the island, in the margins of existence.

Everyone I spoke to in Addu complained about the lack of employment and income opportunities in the atoll. The situation was made worse with the recent factory closures in Gan. Meanwhile, the long-promised tourist resort on Vilingili is yet to materialise.

### **Contamination**

Back on the Link Road, I crossed a second bridge to Henkede, and then approached Hithadhoo, the capital of the atoll. The vegetation here, which includes palm trees, casuarinas, and neatly cut grass, gave out an incredible, translucent green hue.

Hithadhoo is one of the largest islands in the Maldives, with many areas yet to be settled by people. But it has not escaped from a problem normally associated with the more crowded islands of the Maldives. There is no sewerage system on Hithadhoo, which means that sewage is disposed into the ground via septic tanks. Over time, faecal contamination has seeped into the freshwater lens.

On parts of the island, groundwater has been declared unsafe even for bathing. But in the dry season, rainwater stores sometimes run out and the people, especially the disadvantaged, have no alternative but to drink the contaminated groundwater.

### **Eedhigali Kulhi**

I end my hike at the protected Eedhigali Kulhi, an area of exceptional beauty. In the dying rays of the sun, the still brackish

water, dotted with mangroves, reflected the vegetation, sky, and birdlife. As the herons fly in and out of the lake, I felt as though I was looking at a painting.

Even the natural beauty cannot mask the hard times. But optimists say these may soon be over. Work is currently underway to build a 600-room resort in Herethere. An international airport has been built and is awaiting inaugural flights. No section of the Maldives population is more suited to tourism than the people of Addu; their contribution to the hospitality industry is renowned; and key infrastructure is already in place.

Only time will tell if the central government can let bygones be bygones and tap into the potential of this amazing atoll.



## Sex, drugs and kids

13 July 2006

*There's more to drugs than drugs, says Sharif Ali.*

Janah sits besides his girlfriend Hishma. Both are in their teens. They are feeling restless. Shafeeq steps out of his room, looking fresh and smelling good. He greets his visitors with a profound delight in his eyes and a wry smile. For Shafeeq, this is the highlight of the day. Another girl, another moment of bliss.

Janah and Hishma look into each other and exchange a faint smile. A smile filled with heartache and anxiety. Shafeeq puts his arm around Hishma as he takes her to his room. Janah looks on helplessly as they both get in and shut the door. The next hour or so is a moment that fills him with a deep sense of distress. He can barely contain himself. He lets her go just for a while everyday in return for a 'hit' for him and her.

Hishma comes out of the room. Janah heaves a huge sigh of relief. They walk out of the house hand in hand.

This has been a daily occurrence for months but Janah never got used to the feeling. He never will. He loves her. Hishma loves him too and tries to convince him that she fakes it with Shafeeq, and others. Janah thinks otherwise. He thinks she enjoys it but only tries to make him happy by lying. This fight always ends in stalemate.

This is a true story of a young couple resorting to extreme measures to survive, while maintaining a relationship. The names have been changed in the interest of privacy. In a country where drug addiction is ravaging the youth to unspeakable lengths, this is a familiar tale. But it is a tale that rarely gets told.

The *Rapid Situation Assessment of Drug Abuse in Maldives* conducted by the Narcotics Control Board and the NGO Fashan, and executed by UNESCAP in 2003, revealed an alarming rate of high-risk sexual behaviour among drug addicts. Drug-abuse is the most common amongst the ages of 16-24 and below, and the abusers reported having numerous sexual partners, including commercial sex workers. The age of drug use initiation could be as low as ten.

Perhaps most worryingly they did not use any form of protection most of the time. The likelihood of HIV/AIDS and other sexually transmitted diseases amongst them is surely a grave concern. Indeed a number of the respondents interviewed for the RSA already had symptoms of sexually transmitted diseases.

Some individual cases revealed in the RSA are just plain shocking. One northern island reported an incident where 30 young boys indulged in drug-induced sex with one girl. The island is notorious for youth crime, including drug-abuse and violence.

It is also sad to see young addicts roaming on the streets and approaching men to offer themselves. All they need is just enough money for a 'hit'. One night I was standing in front of a shop when a girl stopped next to me. She asked me if I needed company for the night and admitted she was 'feeling sick'.

A friend of mine told me a girl presented herself to him for as low as MRf75.

A spectacular act of desperation.

A former drug dealer in Male' who is now part of an anti-drug campaign admits to having sexual encounters with countless young girls in exchange for drugs. Some as young as 14 but he does not feel any remorse. For him the question of child abuse or unprotected sex never occurred. He seldom used a condom.

He claims that even though they were 'on a high' while in the act, he knew what he was doing. He claims the girls had more to gain than him and that he had something to lose. He got sexual satisfaction, while the girls got sexual pleasure and drugs, which he had to pay for.



But that was ok with him as long as he was getting it. He says he does not crave drugs anymore, but misses the sex a lot. Understandable.

The most disturbing aspect of drug abuse is that kids are lured into it everyday with serious consequences, including unsafe sex, child abuse, and child prostitution. And quite sadly these issues hardly get a mention in the media. For instance there have been two films specifically on drugs, *Masthu* by Yoosey, a feature film, and *Veyn*, a short film by NSS, both of which only deal with adult drug use.

It is time these touchy areas are widely acknowledged so that a national debate can be initiated. The plight of the children victimised by one of the worst social diseases needs to be addressed adequately. For kids like Janah and Hishma it is a tough ordeal they put up with everyday. There has to be another way.

“The age of drug-use initiation could be as low as 10.”

“A former drug dealer had sexual encounters with countless young girls in exchange for drugs, some as young as 14. He seldom used a condom.”

“In a northern island 30 young boys indulged in drug-induced sex with one girl.”



## **The Addiction**

11 July 2006

by **Aminath Fayaz**

Drugs became a part of my life when I was 19 years old. I was instantly hooked, I tried to convince myself it would be “only on the weekends,” or “I’ll only stay up for two days.” I tried to do that for sometime but control was impossible, eventually I was caught in the addiction. I was powerless over the drugs I took; I just didn’t realize it or wouldn’t admit it at the time. I couldn’t quit.

I used almost every day for a year and then I hit bottom. One whole year! That’s all it took for me to lose everything. When I started using drugs, the only thing I knew about it was that it was addictive. At the time, I had the mentality that “it” wasn’t going to happen to me. We’ve all seen the commercials where the person smoking a cigarette changes to a skeleton. We all know what could happen to our health years later, but we light up that cigarette anyway.

We all think “it’s not going to happen to me.” In the end, “it” did. Over the next year. The drug I took became the most important thing in my life. Studies, socializing, relationships became of little importance to me. Everything I did, I did to get more doses, to stay high. I didn’t know what else to do. I stopped talking to my family because I didn’t want them to know I was using.

The days I had enough to use I went to school. I would use it in the toilet. When I had no stuff I would get ready for school and go over to a friend who would share with me. I quit all the extra activities I was involved in school.

Most days I would go to school high and fought to keep my eyes open. The teachers and students started getting suspicious. Some of my friends would ask me but I denied furiously. I would feel very tired after sleepless nights. I would ask my mom for money. I would give any excuse for it.

If I couldn’t get it from her I would beg, borrow or steal. I wasn’t able to pay my tuition fees or pay back any of the borrowed money because I spent all my money on drugs. I lost twenty kilos because I didn’t eat when I was high. Showering and brushing my teeth regularly was a chore and something I skipped most of the time.

I showered only when I had taken enough and if I had my next dose with me. Maintaining myself twenty-four hours a day for a week was next to impossible, so I just quit doing

it. I used people and manipulated people for more drugs. I began to consider playing music so I could have more money to buy drugs.

I changed my values so they matched my behavior; it was “right” if it got me high. I tried to race a car at over seventy miles per hour, and yet I did not grasp the danger my life was in doing drugs. I blacked out and hallucinated, and yet I kept getting high. Some would say I had a choice: drugs or a life -- and I chose drugs. Before I used that first time, I did have a choice. After that, I was in the grip of a disease more powerful than myself. I lived to use and used to live. There was no choice, I had to get high. I couldn’t stand the pain. The stealing started at home. When there was nothing left at home that I could sell, I started stealing from outside. My parents tried to stop me. They begged me to join a rehabilitation program. I refused and became more open about it. I did anything to get more drugs I even went to jail for it.

This is where I got my first dose of humility. I was forced to face the reality of my life. Everyone I used with had been to jail because of it; whether it was possession or for something stupid they had done while on drugs. I told people I didn’t have a drug problem because I’d never gone to jail. I had never thought I would join them here one day. Most people I used with didn’t have a place to live, no one to feed them or care about them. I compared myself to others to prove I wasn’t an addict. I was wrong. And as I sat in jail, reality came crashing down on me. I finally admitted I was an addict. The feeling was overwhelming. It was terrible. The way I was living was hopeless; I was barely surviving. It wasn’t a life. I knew that if I didn’t do something, the drug was going to kill me. I was living in a prison created by myself, for myself.



## **UNICEF Calls for “Compassionate” Drug Policies**

By Minivan News

June 29, 2006

The United Nations Children’s Fund (UNICEF) has called for a fresh approach to tackling drug addiction in the Maldives and appealed to policymakers and the public to treat recovering addicts with “compassion and understanding.”

Drug addiction in the Maldives has spiraled out of control in recent years and UNICEF says that up to 30% of young people on some islands are now using banned narcotics.

“It is reported that the average age of first use of drugs in this country is just 12 years, but some children are known to have started using as young as nine,” says Ken Maskall, head of UNICEF in the Maldives.

“And unlike many other countries with a drug problem, heroin is the drug of first use for many young people here, which leaves the Maldives uniquely vulnerable to widespread addiction.”

The government’s harsh policy on drugs has filled Maldives’ jails but failed to reduce the number of addicts. Rising street crime has prompted calls for even tougher penalties against drug abusers. The populist Islamic Democratic Party says it wants to execute drug smugglers and toughen sentencing for dealers and users.

UNICEF, however, is calling for more effort to be placed on rehabilitating - rather than punishing - addicts. But the government rehabilitating centres are failing and 80% of recovering drug users relapse after rehabilitation.

Drug counselors say many addicts fail to kick their addiction because of the difficulty of reintegrating into society: “It is hard to get a job, and hard to find a place to live,” says 21-year-old Ibrahim,\* who is going through detoxification at a government-run drug rehabilitation clinic in Himmafushi.

“Employers want your police record and often your family will have nothing to do with you - because of the way you treated them when you were using. You find yourself out on the street with your old friends and chasing the dragon again,” he says, referring to a term for smoking heroin.

UNICEF is calling for empathy and support from the public in tackling the issue:

"It is understandable that Maldivians are angry. They see the crime, violence and ruined lives that heroin use is causing first hand. But if draconian sanctions are applied, as some observers have called for we will end up destroying the most precious and scarce element required for human development – bright young people. Recovery, reintegration and realisation of full human potential are the key to tackling drugs. Addicts need our support and acceptance, not punishment and marginalisation," says Maskall.

"Drugs are destroying many of the best people, especially young people and eroding human capital. But we have to work to heal this problem – not punish those going through it. Worldwide experience has shown us that taking a hard-line approach to drug addiction can make the situation even worse. While it is important for law enforcement to reduce the supply of drugs coming into the country and punish dealers, the experience of other countries shows that when you crack down on drug addicts and heroin use, without sufficient measures to help addicts get clean, drug associated crime goes up and people switch from smoking to injecting, which leaves you open to increased risk of HIV transmission," he added.

Currently, the Maldives has a very low rate of HIV infection, with less than 20 reported cases across the country, but this may not be the case for long. According to a 2003 UN report, up to eight percent of heroin users inject in the Maldives, and this number is believed to be rising.

UNICEF is working on a nationwide study of drug addiction. "We are trying to understand the practices and behaviour of drug users, how their drug use affects families and what obstacles they face in sustaining recovery. Understanding this behaviour will help us develop much better strategies for changing behaviour – to reduce experimentation and sustain support for recovery," says Laura Fragiaco, a UNICEF Child Protection Officer.

The survey will be used to inform and design a comprehensive anti-drugs mass media campaign, which is starting across the country. The campaign kicked off with a rock concert earlier this year called Revival and will include the Unity Cup, a national schools football tournament to promote drugs awareness and recovery support.

\*The names of drug addicts in this story have been changed

## **Recovering drug addicts need compassion and support: UNICEF**

28 June 2006

MALE, June 28 (HNS) - The United Nations Children's Fund (UNICEF) in the Maldives has appealed to the public to respond to the country's growing number of drug abusers and addicts with compassion and understanding.

UNICEF said that in recent years in the Maldives, drug use has increased dramatically with up to 30 percent of young people on some islands now using drugs, specifically, "brown sugar," or heroin. And recent evidence suggests that people are experimenting at a younger and younger age.

"It is reported that the average age of first use of drugs in this country is just 12 years, but some children are known to have started using as young as nine," said Ken Maskall, head of UNICEF in the Maldives. "And unlike many other countries with a drug problem, heroin is the drug of first use for many young people here, which leaves the Maldives uniquely vulnerable to widespread addiction."

UNICEF is calling for empathy and support from the public in tackling the issue.

"It is understandable that Maldivians are angry. They see the crime, violence and ruined lives that heroin use is causing first hand. But if draconian sanctions are applied, as some observers have called for we will end up destroying the most precious and scarce element required for human development – bright young people. Recovery, reintegration and realisation of full human potential are the key to tackling drugs. Addicts need our support and acceptance, not punishment and marginalisation," Maskall said.

Typically, up to 80 percent of recovering addicts may relapse after rehabilitation. According to drug counsellors, much of the blame for this rests on the difficulty that addicts have trying to reintegrate into society, re-establish livelihood and recover their self-esteem.

"It is hard to get a job, and hard to find a place to live," said 21-year-old male, who is going through detoxification at a government-run drug rehabilitation clinic in Kaafu atoll Himmafushi island. "Employers want your police record and often your family will have nothing to do with you - because of the way you treated them when you were using. You find yourself out on the street with your old friends and chasing the dragon again," he said, referring to a term for smoking heroin.

"Sadly, it has been estimated that more than five percent of the Maldivian working age population could be dealing with heroin addiction," Maskall said.

"Drugs are destroying many of the best people, especially young people and eroding human capital."

## **Minivan***news* Independent news for the Maldives

### **IDP Wants To Execute Drug Smugglers**

By Minivan News

June 21, 2006

The Islamic Democratic Party (IDP) wants the death penalty to be used against drug smugglers, party boss Umar Naseer said on Wednesday.

Criticising the government's "soft" policy on drugs, Naseer said: "We need the harshest punishments. The death penalty should be used for those who import drugs. There should be no pardons for drug dealers. And we need tougher penalties for drug abusers."

The IDP will hold a rally on 1 July to pressure the government into action against a problem Naseer says is becoming "uncontrollable".

An estimated 15% of 15-25 year-old Maldivians are addicted to Brown Sugar, a derivative of heroin.

Brown Sugar addiction is blamed for a crime wave that has spread across the country. Many residents in Male' are now too fearful to go out at night because of the danger posed by roaming gangs of drugs addicts.

As well as harsh punishments for offenders, Naseer wants to see more emphasis placed on warning children about the dangers of drugs: "We need greater involvement from the education and health ministries. We need the school system to bring more awareness to youngsters." He also called for better drugs counselling.

But the government rejects criticism of its drugs policy: "We have a maximum sentence of 25 year's imprisonment for drug smugglers...and the government has started a series of programs to educate people and rehabilitate offenders" said Ahmed Mohamed, Director-General of the Narcotics Control Board.

Professionals working with recovering drug addicts have expressed alarm over the IDP's hard-line rhetoric:

"Sending people to jail will fill our prisons but will not reduce the number of addicts on the streets. Jailing drug abusers does not cure the social problems - such as abusive parents, unemployment and boredom - that tempt youngsters into drugs in the first place. A major problem is also the lack of decent rehabilitation centres in the country. At the moment there are insufficient



support facilities to break the addict's cycle of addiction,” said a former drugs counsellor, who asked to remain anonymous.

The opposition Maldivian Democratic Party (MDP) dismisses the IDP's “populist rhetoric” on drugs. The MDP says the IDP's tough talk is meaningless without a complete overhaul of the political system. In particular, the MDP accuses President Gayoom and Police Chief Adam Zahir of running a “drugs mafia” which is used to line the pockets of high-ranking government officials and suppress a disaffected youth.

But Naseer, a former sergeant in the National Security Service (NSS), denies that the security forces are implicated in the drugs trade: “I served in the NSS for seven years. There were isolated cases of officers involved in drug dealing, as in any country, but that was all.” Instead, Naseer accused mysterious foreign elements of smuggling drugs to the Maldives from Sri Lanka.

Analysts, meanwhile, caution against the use of the death penalty under the current judicial system: “Judges rely heavily on the President, who instructs them whether to convict or acquit a defendant. This has left the judiciary lacking the competence and expertise to deliver a fair trial. If the death penalty was applied under the current system, many innocent people might be executed.”

haveeruonline



## 54 People Arrested So Far This Month for Drug Related Crimes

30 May 2006

The Maldives Police Service has revealed that 54 people had been arrested so far this month in drug related crimes.

The people were arrested during special projects being carried out by the MPS in Male and several other atolls to curb the growing threat of drug trafficking.

The ages of those arrested ranged from 18 years to 30 years and 47 of them were men. The rest were women and MPS also revealed that it included a girl who was not even 16 years old. The MPS also said that so far this month 138.94g of heroin had been confiscated during the drug raids.



Minivannews

Independent news for the Maldives

## The Paateys: Heroin Addiction in the Maldives

By Minivan News

January 13, 2005

At the beginning of December, five hundred people took to the streets of Hithadhoo Island in Addu Atoll, making citizens arrests of known ‘Paateys’. The citizens were furious at police inaction to the behaviour of Paateys. One businessman said that “this atoll has been best by lootings and theft [which] is mainly seen to be carried out by drug addicts desperate for money.”

Paateys have also been accused of deliberately causing trouble at the 12-13th August



democracy rally, allegedly paid to do so by Abdulla Yameen, President Gayoom's brother.



**Paateys arrested by angry Citizens in Addu**

Minivan News went to investigate Paateys and find out how bad the problem of heroin addiction has become in the Maldives and the reasons for its prevalence.

The word Paatey was originally used to describe people who were friendly with the police in the Maldives but now is used to describe young brown-sugar addicts who are often engaged in crime.

It is estimated that, in Male' alone, there are a staggering 5,000 drug abusers, some 6% of

the population. Glue sniffing and paint thinner sniffing is common but the drug of choice for many young Maldivians is 'Brown Sugar'.

Brown Sugar is unrefined heroin cut with impurities, which can be anything from bone shavings to rat poison. It is these impurities that give the substance its brown colouring. The reason for the high prevalence of the drug is complex and appears to be a combination of social factors - and political ones too.

"One of the main reasons people start taking Brown Sugar", said a drug councillor in the Maldives who asked not to be named, "is curiosity and peer pressure. This is especially so in the islands, where you have a small population and an even smaller youth population, who all know each other and hang out together. In such a closely knit community, if one child starts taking the drug, all the others will be interested in it and will have access to it."

Often children with problems at home – abusive parents beating them or sexually assaulting them for instance – will be tempted to take Brown Sugar to take away their physical and psychological pain. Some children know about the destructive effects Brown Sugar can have, but they will still take it, almost as a punishment to their parents. And Brown Sugar certainly has destructive effects on its users.

The term used by health workers is a "cycle of dependency". This cycle happens relatively quickly with Brown Sugar, which is highly addictive. "After your first few uses of Brown Sugar, the body will build up a tolerance to the drug, which means you need to take more and more to get the same high you did on your first go" said the drugs councillor. "If you have your dose of it at say, 6am each day, prior to this you will be craving for your fix. People will do almost anything to get it. This craving leads to people taking more and more fixes each day. This results in users taking the drug more and more frequently throughout the day."

The need to obtain more and more, coupled with the debilitating highs, makes securing a paying job all the more harder for users, at a time when they need more and more money to pay from their addiction. Many users turn to crime – petty theft and robbery – or turn to dealing. The result is often one of two things – users will be arrested by the police or will realise they need to quit and voluntarily seek help. One of the major reasons why few break out of their addiction however, is a systematic failure in the Maldives to help users kick the addiction.

"If you are caught with drugs in the Maldives, you go to prison. It's as simple as that" says the health worker. "Users, who are mainly children, will normally be sentenced to 6 years in jail. If they are lucky they'll go to the rehab clinic within a year" If you voluntarily go to the Narcotics Control Board and report that you have a problem you won't go to jail, but you'll be put under house arrest until a place is available at the Maldives' only rehab clinic and there you will be held for up to a year. The incentives to kick the habit are therefore very limited, you are always

punished.”

Compounding this problem is the ground reality that rehabilitation and drug support facilities in the Maldives are appalling. The only rehabilitation centre in the Maldives has been described as more of a jail than a rehab centre. There is also an acute lack of professional councillors able to assist drug addicts to come clean. ‘Ready-made drug councillors’ are what you get if you end up in the rehab clinic.

These councillors are usually recruited between the ages of 17-20 and many are school drop-outs. They are approached by the Narcotics Control Board, who, after sending them on a counselling crash-course for 6 months, will let them loose on the patients. “I don’t see how you can properly train a drug-addiction councillor in six months, especially if they are dealing with serious cases of addiction” said the drugs councillor.

The care available to those who are able to get a place at the rehab centre is also far from sophisticated. The ‘treatment’ is to go ‘cold turkey’, which essentially means locking a patient in a room without access to any drugs and where the patient is unable to commit suicide.

Without their regular fix of Brown Sugar, the user will go through a terrible 72 hour period. Within 4 hours users will start to crave for the drug and will suffer from high levels of anxiety. After 8 hours, users will start yawning, perspiring, will have a runny nose and may start crying. After 12 hours, users suffer from pupil dilation, hot and cold flushes, muscle twitches, aching bones and a loss of appetite. Between 18-24 hours, these symptoms will become more acute, and the may be accompanied with insomnia, high blood pressure and a faster pulse, fever and nausea. After 24 hours, users are often seen to curl up and make kicking movements, suffering from vomiting, diarrhoea and increased blood-sugar levels.

Even once the patient is ‘cured’ however, with no after-care available in the Maldives, the patient will often just go back to his or her island and face the same social conditions that turned them into an addict in the first place. The upshot of the situation is a ‘revolving door’ of youngsters who are in and out of prison, in and out of rehab, but are unable to kick the habit for good.

In other countries that suffer from heroin addiction, the government’s approach is often much more sophisticated, offering drug-addicts a range of treatments, which sometimes involves a gradual easing off from Brown Sugar usage, rather than an enforced ‘cold turkey’ approach.

Addicts, under the supervision of experienced doctors, go through the detox process over a period of months not hours. This involves weaning the patient off heroin onto a less harmful and less addictive drug, such as methadone, and then gradually reducing their intake of methadone until the body is completely clean. Following this is a system of after-care, often involving employment opportunities and counseling.

Why doesn’t the Maldives have such a system? Professionals point to government incompetence and the cost of treatments such as methadone. “The government hasn’t done anything really to solve the problem. They’ve been talking up their approach for years but refuse to spend real money tackling the problem. The Ministers at the very top of the administrative process are also perceived as incompetent” said another source in the sector. However, when pushed, some in the drug treatment sector also point to an altogether more sinister reason for the prevalence of drug addiction in the Maldives: the NSS.

“Many people in the sector suspect involvement of the NSS in the supply of Brown Sugar” said the source. “And I’m not talking about just a few junior officers pushing it on the streets. This is believed to go right to the top – to Adam Zahir”.

“The police are in a perfect place to run the drugs trade in the Maldives, they know who the customers are because often they’ve arrested them before, they police the ports and airports and ‘confiscate’ drugs hauls – which are never photographed or destroyed in public – and given the almost unlimited power they have, they can crush any competition.”

Could this be why the government is often slow to tackle the drugs problem with serious effort in the Maldives? Without hard evidence it would be difficult to say with certainty. One thing that is for sure, though, is that Brown Sugar addiction in the Maldives is reaching epidemic proportions and so far the government doesn’t appear to be serious about doing anything to tackle it.



## Can a detainee smuggle a drug into Maafushi prison?

08 November 2004

By Ibrahim Hameed

Is it possible that a person in detention could import a narcotic substance into the jail?

The Evening Weekly's quest to find an answer to this question came after having learned from a credible source that some three individuals in detention at Maafushi prison very recently went violent after having taken a narcotic substance and a regiment of police was urgently dispatched to restrain them.

The person who gave this information claimed the wardens at the prison "collaborated" to sell various illegal substances to the inmates.



When called from The Evening Weekly, Ahmed Rashid, the Director of Penitentiary Department, declined to comment and asked to call "Shuaib of Home Ministry" saying that "Penitentiary (department) comes under Home Ministry."

"Inmates always undergo a thorough screening process before they are allowed back into jail, when they arrive after having been out for any reason," said Shuaib Yoosuf, Director from Home Ministry, and head of the ministry's legal department.

"Even the items sent to the people in detention by their family members are also screened before those things are released to the respective individuals," added Shuaib.

We asked whether it could be possible that some wardens at prison might be carrying out illegal activities like selling drugs to inmates. Shuaib replied: "If anyone comes even close to being a suspect, then we take firm action against such a person."

But does this mean that various contrabands are not at all smuggled into the prison?

Various sources claim that some wardens sell various items to the inmates and then collect money from their family members. As reported, the wardens do this by carrying the requests of inmates, asking for money from their respective families and then collecting money. As such, some say, these wardens would sell a thing as trivial as a pack of cigarettes and then charge even 100 Rufiya.

With a shop that is said to sell necessary items to the inmates now being set up at Maafushi prison, smuggling a packet of cigarettes may no longer be a thing done. But smuggling various other contrabands like drugs could still be going on, because such things would not be sold at the shop.

According to various accounts, contemporary drug dealers have adopted more sophisticated methods in smuggling drugs-- like keeping the contraband ingested. Some criminals might try their luck at something like that if by chance they could lay hands on any such contraband while temporarily out from prison, for example, on a medical treatment trip.

When some carry out smuggling of contrabands into jail, it clearly reveals one major fact: there is a fat cash flow into the hands of inmates. Else, there would simply be no reason for a warden or any other person to take such a risk and smuggle items into jail. In addition to adopting a thorough screening procedure, the authorities perhaps should also try to find a way to disrupt everything that might tempt someone to smuggle any contraband into the prison.



# Child Abuse



## Silent Cries...

27 March 2006

By Hassan Munaz

[The names of the innocents involved have been changed to protect the identity of the those mentioned.]

Preteen Maldivian girls are being raped. It is a fact, though not commonly known or if known, acknowledged. The number of victims may appear to be a small and insignificant amount but comparatively, it is not. The following story about two girls who have been sexually assaulted will suffice to paint a picture of the lifelong effects rape has on a girl.

Fathmath said that she was raped by her stepfather when she was in her early teens. However, she did not tell anyone and kept it a secret because she was afraid to when she was



young. Later when she grew up she was too ashamed to tell her story. With the exception of a few close people she did not mention anything about the incident to anyone. Pondering over the event which had changed her life and her personality she said, "How would you feel if you were sexually abused?"

She is living her life, carrying a huge mental burden and a lifelong distrust in men. Somewhere along the road she adopted a religious lifestyle which helped her to recover somewhat from the trauma. But not enough that she sleep throughout the night without waking up in a cold sweat from nightmares about the assault.

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Aminath was eight years old when she was raped. "I was raped by family members when I was eight years old," said Aminath. "It wasn't a one time thing. They raped me repeatedly, my own cousins and uncles. It is not something you can forget. I can still feel their nails digging into my skin. I can't even sleep. They ruined my life."

She said that she told her parents about the incident about a decade after the events had taken place and after a lot of soul searching and searching for the courage to heal. When she did, she was told to keep quiet and not to mention it to anyone.

"Mom said it was no big of a deal and to forget about it," she said.

Later when her father found out about it he wanted to bring the matter to the court to seek justice but Aminath said that she disagreed.

“I was on the verge of committing suicide. But something held me back. I used to cut myself just to feel that I was alive. I had gone insane. I want to shriek at the top of my voice, AAAAAAAH!” she said.

She said that she did not believe that even if she had gone to court to seek justice anything much would have happened. The people who murdered a girl who worked in the Maldives Chamber of Commerce did not get the punishment they deserved so how could she expect justice to be served to someone who had raped her? On the other hand it was quiet possible that she would be the one guilty and sentenced.

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The untold stories of so many abused little girls are swept under the carpet. Mostly by the abused themselves because they know they would not find the justice they wanted. The most they can expect from the court is a public flogging or banishment, or maybe a fine. Will that help the raped? No! Will it prevent further rapes? Again no! This is simple logic.

In my opinion rape is such a heinous crime, one that can totally destroy the lives of the victim forever, that only capital punishment seems acceptable. The reader might not agree and think that capital punishment is too harsh. I have one question for them. What if the victim was your own daughter or sister?

## Education and Care

haveeruonline



### President calls on people to bring up youngsters as productive

12 July 2006

MALE, July 12 (HNS) - President Maumoon Abdul Gayoom has called on the people to attach a high priority to ensuring that the country's adolescents and youthful generations grow up to become productive members of society, and to encourage them to contribute and participate whole-heartedly in the important task of nation-building.

He made the statement in his message on the occasion of World Population Day, which was marked across the world on Tuesday. In his message, the president emphasised that it was the collective duty of everyone in the society to prepare the youth to assume their social responsibility as front-runners in national development, with sincerity and loyalty.

Highlighting that this year's World Population Day had coincided with the important milestone of the national population exceeding 300 000, the president noted that the demographic trend indicated that Maldives was today a very youthful nation. Elaborating on the comparatively high percentage of youth in the population, the president stressed that this trend was in fact a precious national asset and advantage.

Noting that this year's World Population Day focused on adolescence, the president said that adolescents would be the true architects of national progress, who can lead the nation to greater heights of progress and prosperity.

"As the Maldives continues today to take confident strides in development, we must fully engage the youth as important stakeholders in development. This is surely an essential step for the future. We must encourage them to participate in the national endeavour to attain the Millennium Development Goals", the president highlighted.



### Lifeskills

27 June 2006

by Inaya A. Shareef



It might not come as a surprise, but considering the raising number of students who achieve the Top 10 status in O Levels and A Levels every year, it is kind of hard to find faults with our education system. However, there are many who feel that the country's education system is still lacking in many areas.

A single day doesn't go by without a ruckus about the education system, occasionally in the

media but more often than most by some disgruntled parent. School administrators complain of overcrowding and lack of resources; teachers complain of lack of interest among students and administrators; and students complain of low quality teachers. Parents complain about every single aspect of their children's education. The discontent for the teaching in schools being one of the main reason that parents seek out teachers for private tuition at exorbitant prices.

Now some of the more educated among us believes that the current method of teaching in schools has resulted in the stunting of personal growth of the students. According to an official in the education field, the high level of competition among students and parents to the best in exams has resulted in paying less attention to the development of the child's personality and social interaction.

The children who comes top of the class, rarely has the leadership qualities and basic social interaction skills that are necessary to make it in life, and are unable to face real life following their academic years, thus making unhealthy life decisions that affect their future.

If this notion is true, then why aren't the schools doing anything about it? And can this be the reason for the increasing number of youngsters involved in risky behaviours like smoking, sexual activities and drugs? Why is our education system not working towards incorporating life skills for our students so that they are more equipped to handle the problems they face during growing up? More importantly what are life skills?

Under the UN framework, development of life skills for adolescents and young people has remained a top priority. UNFPA and UNICEF have taken the lead to initiate this in schools all around the globe.

The idea of life skills education is centred around the concept that information on the risks that young people face was not enough to equip them with means to overcome them. Life skills endowed them with skills to manage challenging situations, particularly in the context of supportive environments.

UNICEF defines life skills as "a large group of psycho-social and interpersonal skills which can help people make informed decisions, communicate effectively, and develop coping and self-management skills that may help them lead a healthy and productive life. Life skills may be directed toward personal actions and actions toward others, as well as actions to change the surrounding environment to make it conducive to health."

Research conducted in the US by Planned Parenthood Federation of USA shows that life skills based education had been instrumental to curbing the number of unwanted pregnancies among teenagers and delaying first sexual acts among adolescents. However, it would be wrong to assume that information alone can bring about such a change. The research highlights the important role of media, the availability of contraceptives to high risk youths and the increased change in attitude towards sexuality among teenagers contribute to the decline.

The case in Maldives is highly critical. Being a 100% Muslim country, government officials, parents, and the media are reluctant to address these issues. Recent development surveys, including those conducted by the Ministry of Health in association with United Nations Population Fund, as well as the RSA on Drug Use by the then Narcotics Control Board show a high number of youth engaging in sexual activity quite early in their life. There has yet to be a study conducted on the reasons, frequencies and patterns of such activity, but these initial studies are calls for concerns.

Few adolescents are equipped with the necessary life skills to turn down peer pressure, or to extricate themselves from situations that promote risky behaviours. The Maldivian mentality or rather the Ostrich Mentality of sticking one's head in the sand to avoid trouble, is getting the youth of our nation deeper and deeper into trouble. Instead, in an age where information is power, the country's youth needs to be given the access to the correct information and provisions.

If the youth are engaging in sex, as studies show, maybe its time that the Government accept this fact, and provided them with the information on the risks of Sexually Transmitted Diseases and Infections(STDs / STIs). While media frequently uses the words HIV/AIDS, very rarely does any cover the high risk STIs and STDs are to youth who engage

in frequent sexual activities with different partners.

Parents who feel their children can do no wrong should be aware that words like “buffet” and “group” are no longer as innocent a word as it used to be. Used to describe orgies where more than two partners are engaged in sexual activity, there are certain people who are experts in arranging these get-togethers.

“I know a girl who is up for anything. You can call her anytime and she would do anything, be it a buffet or girl on girl,” said one young wannabe pimp who strangely wanted to remain anonymous. He brandishes his mobile phone, smiling and saying that he had the girl’s number and can get her within 30 minutes.

One should wonder how much self esteem and personal development the girl had undergone to be reduced to such behaviour. She is after all educated and employed in a government office. So who had failed her?

Ministry of Youth and Sports and Ministry of Education conduct life skills for school leavers at the end of every academic year. This two-weeks training might not be the right approach, considering that most of school leavers would already have girlfriends or boyfriends and are set in their behaviour by the time they are forced to attend this training.

“Many parents are against us teaching life skills. They feel that if we talk about sex or drugs, it is going to make their child more receptive to the idea, when it is the other way around,” said a life skills facilitator.

“I took life skills and learnt a great deal of things about communication and how to manage my emotions better,” said Naani, a 17-year-old currently studying for her A levels. “It helped me to talk better with my parents”

“I have seen the difference in Naani immediately after she started taking life skills. Too bad it was only a two-week thing she did. But I think its important that she learnt about sexuality, drugs, and all the vices which she will face once she gets into the real world,” explained Mariyam, Naani’s mother who was told by the friends to stop sending Naani to life skills classes because it was teaching sex education. According to her information is power, and without power, where is the freedom to choose. If she didn’t give her child the freedom to choose her future, who else would?



## The Fierce Rivalry among the Youth

18 July 2006

*Are we raising a generation of scarred children?*

by **Fathamath Nubla Mohamed**

Hatred and loathing: let’s take a look at where their roots sink into. The mind of an average child today seems to have quite a bit of it. Vengeance towards their peers for supposedly being more “accomplished” than them; anger directed to teachers for not being “fair”; and bitterness towards everyone and everything else in life for being such a tiresome burden on them.



These are common symptoms. But why do children bear such troublesome mindsets at such tender ages? In my opinion, a lot has to do with their upbringing. Every society has its flaws and one of the biggest flaws in our society lies primarily in the social attitude towards competition.

From a very early age, children are taught that success and achievement lie only in achieving more and being better at things than everyone else. They are 'groomed' to become a living "marvel" and to live up to their parents near-impossible expectations. The pressure is simply too much for a child to take. It is often this which leads to such unhealthy ideology of achievement and the sometimes immoral means of achieving it.

All too often this leaves children's personal achievements very much undermined. This leads to a cult-like tradition where a pre-defined idea of success is embedded in everyone's minds and drive. In this system, the beauty of uniqueness, individuality and originality is forgotten. And the significance of creativity in growing up is lost. Perhaps this may be one of the reasons why we are producing so many text-book oriented replica-like children. Why else would perhaps the most creative creatures on earth become so stagnant? Where else can such a strong curiosity and urge to learn as that in a child's become lost in a sea of misconceived success?

So what is it that we can do to correct this major issue? First, all young and old people need to know that every child is special and gifted in his or her own way. We need to acknowledge personal improvement and motivate even when they do less than expected. Parents are there to encourage children in all they do, not to impose a particular view upon them. They have a mind of their own. And children ought to know that they will be loved no matter what. Emphasize the importance of trying their best and be happy for them when they do.

By simply irradiating discrimination against the "under-achievers" and favoritism towards the 'marvels' we can rid a whole lot of bitterness in children's minds towards one another. Children aren't machines; they were brought into this world with pure hearts and except for the spoiling of society are very innocent in mind.

We need to recognize this and become more caring towards our children. We all too often unconsciously rob them of their childhood and in a way exploit the urge to want more out of them. Don't try to live vicariously through your children. Let them achieve on their own. Most importantly, don't compare them to peers or put them to shame for their "under-achievements". The only way to describe this is "harsh". It will do more harm than good and is often the root to the entire issue.

Last but not least, teach them true values. Teach them the virtues of compassion and kindness. Make them understand that a true winner is one who has gotten there with their principles intact. Also coach them to associate with and learn from those who are better rather than hating them for being so (the win-win attitude). Acquaint with them to be happy for and appreciate everyone's success as if it were their own. Too many people spend too much time plotting the downfall of their opponent that they take their eyes off the target and lose the battle instead. Let us all rid this awful habit for the sake of our peace of mind.

Children are very special but are easily molded by society. Hence it is very important to understand that each and every one of us has a social responsibility to be aware of and correct this misinterpretation of success. It is true, successful people are those who accept only the best. But where do they end up if they become psychologically disturbed and bitterly hurt on their way up the ladder, which is precisely what happens when over-emphasis is given on performance rather than improvement in performance.

So all of you out there who makes an impact on a child's life, directly or indirectly, be aware of the problem. Children are the future generation. Be a bit critical about yourself and give this some thought. You know what you need to do to change.

# Sex



## Sex & Adolescents

27 June 2006

Recent research shows that today's Maldivian youth, although sexually active before marriage, are not very well informed of the consequences and the dangers of this sort of lifestyle.

by *Hawwa Rishana*

The media and other sources like Internet and magazines seem to be promoting sex as a lifestyle in Western culture. Our generation is easily influenced by such and is in need of a reliable source to consult regarding such matters and to help them make a better decision. As a growing problem, we need to face this reality and think of solutions to ensure that adolescents can safely transcend into adulthood better informed on sexual and reproductive health...

Maldives being a 100% Muslim country, sex is considered taboo by the general society. It is not common for parents to teach their children about the 'birds and the bees' as is most common in Western Culture due to our religious beliefs. Abstinence is the best way and the legal way for us, although this does not seem to be practiced anymore.

While schools play a major part in a youth's education, the lack of a sexual education class and qualified teachers for this means that they need to get help from private clinics such as SHE, which is the only non hospital based clinic from where adolescents can get high standard sexual and reproductive health services in a private and highly confidential setting. However, most youth are either not aware of this option or too shy and prefer not to get help from such sources because of the 'image' it carries. Most adolescents are already hiding their sexually active lives from their elders and parents at the young ages of 13 and 14.

Take for example the case of Aisha. She had sex for the first time at the age of 14 when her boyfriend, who was 17 at the time, forced her into it. She loved him and wanted to prove her love for him at the time and did not tell anyone about it. She did not know who to turn to for help in the matter afterwards. Obviously, she had to hide the matter from her parents as they would not approve and the information she was being given by her friends did not help either. She continued to have sex throughout her relationship with him later on and was not sure how to protect herself or what she needed to protect herself from. She was even led to believe that swallowing could make her pregnant. It is not an uncommon case here in the Maldives as lack of information on the subject leads to an abundance of myths, folklore and mystery about it. Urban myths take precedence.

Unsafe sexual relations in adolescents is increasing each year, exposing them to early and unwanted pregnancies, resulting in induced abortions in hazardous conditions as most of the time this is done by under the counter drugs or other types of methods without the consultation of a qualified medical doctor. There have reportedly been some deaths due to this although this has never been established as fact. This is leading to a whole new plethora of problems which needs to be addressed urgently. Sexually transmitted diseases go unchecked till marriage sometimes.

Although schools like Aminiya School have counselors on hand for students who need them, qualified teachers are needed to tackle such a sensitive and important subject for all schools in general as obviously this is where children should be getting the reliable



information that is much in demand. Students who take Science stream are at an advantage as Biology is included in this stream. This leaves the other two stream students to learn about the matter in a more religious way only, from their compulsory subject: Islamic studies. Research shows that adolescents would welcome such an education and would prefer it to be holistic in nature and also deal extensively with relationships and dating pressures. Students want more emphasis to be placed on topics such as sexual abuse, dating risks, STDs, self examination for sexual health problems and relationship related issues.

Parents also should play an important part in sexual and reproductive health education of their children and precedence should be given to focus on the parenting skills appropriate for the new information age their kids are growing up in. Perhaps special programs on TV and radio, which has the highest probability of being viewed by parents, should be sent regarding such information and making them more aware of the situation.

It is a known fact that most people do not watch Dhivehi programs on TV and consider Indian soap channels to be their favorite. So more studies need to be done to find out what would be a more appropriate and logical solution.

“I can’t imagine my parents discussing it”.

“I wouldn’t tell my parent because I am scared to face the anger”.

“I know that my parents are very close to me and they would help, but there is no way in the world that I would discuss sexual health with them.”

Internet, romantic novels and movies appear to be the key primary sources of information among adolescents and more research needs to be done to determine ways to cope with the situation so as to come up with ways and methods that fit our cultures and religion. Adolescents need to be made aware of organizations such as SHE and FASHAN and they need to understand that there is no need to be intimidated by these places and help is just waiting for them. What is already being done is obviously not enough and there is room for a lot of improvement. Knowledge is the best way perhaps in this case. Maybe knowledge will help our adolescents make wise choices for themselves.



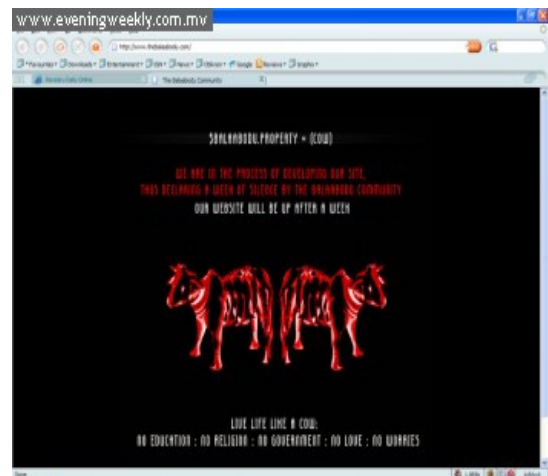
## Aptly Named Websites

20 June 2006

by Hawwa Rishana

### Article 12.

*“No one shall be subjected to arbitrary interference with his privacy, family, home or correspondence, nor to attacks upon his honour and reputation. Everyone has the right to the protection of the law against such interference or attacks.”*



This is how the story goes... Aisha has seen Ahmed a lot but has never really gotten to know him but one day the opportunity presented itself and they got to know each other and went out on a date as well. As most people do these days, they immediately exchanged emails and started chatting online. It's on one of these occasions that Aisha put a picture of herself on her DP and Ahmed wanted to see the whole picture as the DP only showed only part of it. Since



Aisha had already gotten to know him a bit by then and he seemed nice enough, she did not think twice about sending it to him as a file. Big mistake.

The very next day, it became clear while chatting that Ahmed was only interested in Aisha because he had thought she would be an easy catch and since she had refused his advances towards sex he was no longer interested in her. His calls become rare and he starts becoming very busy all of a sudden and so Aisha decides to end it right there. After all, there is no shortage of jerks in Male. However, for some reason, he gets offended when Aisha breaks up with him.

Three weeks later, Aisha finds her picture on one of the most notorious and aptly named online forums in Male' (the name which translated into English means "a great big nuisance", but that's putting it mildly), with a caption proclaiming that she was easily and readily available for whoever wanted her for whatever they wanted. Along with the caption they had also posted her email address and mobile number as well. Not surprisingly she starts getting calls from strange men and people start adding her to their MSN contacts so much she has to eventually change her number and email. Sounds familiar? If not, then you must have been living under a rock.

Unfortunately, this is not a rare case; there are many victims of these photo abusers and the number increases daily. Worse, there doesn't seem to be anything anyone can do about it. Many a boyfriend has tried to crash or hack such sites when their significant other's picture appears there and somehow, these websites always keep coming back.

It seems that people actually want these sites up and running. Why? For their own sick twisted pleasure? Who knows, but the point is when you look at the number of hits and members the forum gets, the numbers speak for themselves. Some who defend such sites claim that if the girls whose pictures end up on the forum are shameless enough to be photographed naked or doing sexual deeds, then they have no right to be angry about it. The logic and morality of that argument can become a never ending argument but the fact remains that it is not only those who have chosen to take nude pictures of themselves or even 'hotter' photographs that end up on the forum. You could be out walking on the road on your way to school when some of the so-called 'photographers' for the site takes your picture and uploads it.

You could be eating at a restaurant, feeding a baby, just out strolling or out on a balcony. In fact, it doesn't matter what you are doing, as long as you are out of the privacy of your own house or room then you are a potential target. And even if you are at home or in another place you consider to be safe, the real truth is that you can never be safe because with the invention of mobile phones and super tiny 5 Megapixel cameras that can take high definition pictures, sometimes even in extremely poor light, the digital Peeping Toms could be watching you anywhere. It's not just your MSN Display Pic that can be stolen.

Why isn't there a law to protect the victims in such cases? Should they simply fume about and just try to let it go because there is obviously nothing they can do about it? However, the amount of damage, psychological as well as social, this can do to a person is also something one has to take into consideration. Fathun, whose picture was on a forum such as this says that she could not sleep for several nights just thinking about the amount of people who would visit these sites and look at her picture. She got so many unknown calls from strangers asking for disgusting sexual favours and saying rude stuff that she decided to change her SIM.

"I just wanted to do something about it, but there was nothing I could do. No one could help me although most people knew who runs the forum and who had put up the picture," she says. An official of the Maldives Police Services commented that they did not get a lot of complaints regarding stolen photos being uploaded on websites. And on the few occasions that complaints are filed they do investigate the matter and try to bring the perpetrators to justice. He also said that just because someone's picture was posted on the internet didn't mean they would investigate it. It was only when a complaint was filed that they took action. He noted that even very recently such a case had been investigated and the perpetrator had been captured and the case sent to the Attorney Generals' office. So from such comments it is evident that most of the general public is not aware that help was at hand.

Exposure of such cases in the media can be invaluable bringing it to the public's attention and giving those who run such websites a cause for concern.

Privacy is obviously something these perverts and voyeurs have never heard of. This invasion of privacy is something that cannot be tolerated. The amount of degrading comments left on such sites are disturbing to say the least and gives a clear idea what sort of people frequent such sites.

The issue is not about a single picture or a single person. It is bigger than that. If even the Police treats the issue as an individual case and investigates only the complaint in question then there is no hope of putting a stop to it. Of course, since we are talking about the internet, there is no way that anyone can censor what is being posted there. But if we were to treat such behaviour as cases of sexual harassment and prosecute those who commit such crimes under the law and also run awareness programs such as those being already shown on TV and are heard on the radio then we could very well be taking a positive step towards stopping such behaviour in our society.

The Right to Privacy is a fundamental human right recognized in the UN Declaration of Human Rights, the International Covenant on Civil and Political Rights and in many other international and regional treaties. So how come our rights are being trampled upon and there are no protests about this? Certainly this falls under these rights as such websites and forums are definitely endorsing sexual harassment by attacking a person's honour and reputation as well as their right to privacy.

## Crime



### Gang Wars

27 June 2006

**The fights between rival street gangs and the security forces seem to be escalating. When will it end and what is being done to keep peace and order in the city.**

*by Mohamed Hursheed*

Not so long ago, even the concept of gang wars in the Maldives would have been a ridiculous one.

Fast forward a few years and now anyone who would crack a smile at the idea of roving gangs waging war on each other would be considered pretty naïve or having spent the last few years in a coma.

Gang wars have been thrust to the forefront of the public attention with the sudden increase in incidents that have proved without a doubt that street gangs are waging all out war on other street gangs and sometimes against the security forces sent to stop them.

Sure, we have seen the graffiti on the walls proclaiming the general area to be gang territory for years now, and I am not speaking metaphorically, but real violence resulting from such territorial disputes were too few and far in between to be taken seriously. Until now.

Clashes between rival street gangs have resulted in broken bones, arson, various other offences and even death. It goes without saying that this is a very serious issue as far as Maldivians are concerned. The clashes have left long lasting physical and psychological damages on those who were directly and indirectly involved. Most people who live near where gang territories live in constant fear of having their everyday lives disrupted by sudden violence.

In one of the most recent incidents of gang related violence a 17 year old boy was beaten senseless by rival gang members. The boy suffered severe head injuries and some broken bones in addition to other minor injuries. The gang, to whom the boy who was assaulted was apparently affiliated with, retaliated by going to the house of one of the rival gang members who had allegedly participated in the initial brawl and assaulted him, leaving him with severe head injuries and a broken finger. The boy was only 18 years old.

Occasionally even dangerous weapons are used by the gangs in their fights. Granted that even a wooden club or iron bar in the hands of someone assaulting an unprotected and helpless victim could be called a dangerous weapon but what I am talking about is one of the most often used and easily concealed weapons in a gang member's arsenal:



the box cutter. It comes in various sizes and the blade can be slid in when not in use, making it ideal to hide inside trouser pockets. It has become one of the most commonly used weapons to be used in gang warfare and most casualties from a gang fight usually exhibit at least one slash wound from a box cutter.

The killing of an 18 year old boy, who lived in one of the Sina Male flats, by rival gang members is among the saddest and most distressing incidents in the short but violent gang war history. Another death from gang related violence occurred in Fuvahmulah, where a 19 year old boy was killed in a gang fight.

Many people have commented that the advent of political parties in the Maldives seem to have a direct connection with the sudden flurry of street gang activities. The Human Rights Commission of the Maldives has even accused some political parties of having close ties and some news websites have gone so far as to accuse some of the political parties of masterminding and funding some of the activities.

Quite recently even the Maldives Police Services have been accused of being affiliated, offering protection and sharing information with some gangs. The MPS summarily discharged such accusations calling it fabrications and rumours being spread by political parties.

“The Police has never allied itself with any gangs and never will,” said Senior Deputy Commissioner of Police Abdul Shukoor Abdulla. “Neither have we offered protection to or requested counsel from or shared information with any such group.”

He said that the recent incident between rival gangs, BG Group and Maziya, in which the Police played a major part in bringing the violence under control and resulted in several arrests from both groups, is proof enough that the Police is not afraid or biased towards any groups or gangs.

“We do not have to work secretly with any underground group or street gang to keep peace and order in the city. We are much more organized and courageous than that,” said Shukoor. He also said that no matter how many groups there were on the streets that had marked certain territories as ‘their’ territory and no matter what shape or colour of flag they hoisted, the Police would not be deterred in their mission to keep the peace.

“The cases of those who were charged during the BG-Maziya unrests have already been sent to the AG’s office,” Shukoor said and reaffirmed that they were “not afraid of any gangs.”

In a surprising twist, and a very worrying one at that, Shukoor said “It could be that it was their ‘job’ to create civil unrest and disorder,” implying that someone had hired these gangs to fight and create strife among the public. He also said that some parties were taking some incidents and blowing it out of proportion to spread panic.

The implication that there were some people hiding behind the curtains and masterminding the whole thing is strangely exactly what the security forces themselves have been accused of. What is the truth? It’s left to the public to sort out the truth from the lies.

After one of the clashes between rival gangs and security forces, a boy no more than 15 years old and claiming to be a member of one of the street gangs, was heard saying that the police should not get themselves involved in gang affairs and that the gangs would take care of their own and mete out their own justice in their territories. The involvement of the security forces only made things worse for everyone in the end.

Such bravado from such young kids is not unheard of. Most gangs consider their gang and gang members to be above the law and only follow some set rules set out by the gangs or their mysterious leaders. Apparently taking inspiration from Hollywood movies, they tend to follow their idols in the way they dress and behave.

It is believed that some of the fights that break out among the street gangs are related to the drug trade which is also another social hazard that the Maldives Police Service is constantly fighting against. A few days back the Police destroyed 1kg of cannabis from the huge cache (over a tonne) found buried under the sea bed near a resort in the biggest drugs bust in the history of Maldives. The Police said that they had kept the minimum amount of drugs required as evidence and will be getting rid of the rest of the cache in due order. One might question why not destroy it all in one big bonfire, but it seems best not to raise such questions as they tend not to get a satisfactory answer.

Most of the public, despite the assurance by the security forces that they would keep the streets safe from street gang violence, are sceptical. They have seen too many episodes of street fights among gangs that escalate rapidly and end up with several people, sometime even innocent bystanders, getting hurt and injured.

And in the end those who get arrested are released after a few days and as Male is a small place, most people are aware that most of the time it is the same group of people who lead the fights time and time again.

If the security forces are to be taken seriously at their word then they have to come up with something better than a verbal declaration of their intent to keep the peace and order in the city.

After all, actions do speak louder than words.

## Socio-Economic Situation



### Poor & Vulnerable

20 June 2006

#### Why is the average Maldivian finding life so hard in Maldives?

by Ibrahim Hameed

Going down the main road in Male, Majeedhee Magu every evening, it is hard these days to ignore the number of beggars that are squatting on the footpath. Generally, beggars would not be squatting in this part of Male.

It was only three years ago a beggar first began to squat near Shop No 70 in Male. Since then, their number has gone up and now some times there could be five or six beggars down the footpath, basically around the same area.

They are causing a nuisance to public, often to the pedestrians, since this is the busy shopping hour in the Male. But maybe can't help it. These are destitute people begging for a living. Are we becoming poorer in the Maldives everyday?

Maybe not. The second Vulnerability and Poverty Assessment (VPA) study conducted by the Government of Maldives shows that Maldives has made benchmark achievements in eliminating poverty since 1997/8, when a similar assessment (VPA -1) was undertaken. This second study was conducted during the middle of 2004, and made public recently.

The report says: "The purpose of this study is to assess the progress in poverty reduction over the period 1997-2004. The findings of VPA-2 show that considerable progress has been made in this regard over the past seven years. During this period average household income in Maldives as a whole, increased at an average annual growth rate of over 6 per cent per capita, with 7.7 per cent in Male', and 4.6 per cent in the atolls. Overall, both income and non-income poverty has declined significantly throughout the country."

"If poverty is measured using the international poverty line of one dollar per person per day expressed in purchasing power parity – the basis of the MDG poverty target – the Maldives has no significant poverty. Between 1997 and 2004, the number of people living below this line fell from 8,000 to 2,000 – less than one percent of the population," it further says. Maldives has made remarkable social and economic development during the past two and a half decades. Back in 1978, Maldives was the second poorest nation in the world, only second to Tahiti. In December 2004, a week before the Boxing Day tsunami caused extensive damages across the country, Maldives was recommended for graduation from among the least developed countries. These may be remarkable achievements.

But the fact is that most of development activities had been centered primarily in



Male, creating an exodus of people from all other parts of the country to Male. The population of Male began to increase at the end of 70s, when Maldives began to serious headway in the developments. With the economic and social dynamism increased around the capitol, this trend simply gained momentum.

And even to date, there is simply no end this tide. It is no surprise that despite over two decades of persistent developments in the country, the number of people who goes about begging on the streets Male has only increased day by day. I was amazed to learn that in the last six years the population of Male has actually increased by 30,000 people. The Census 2000 indicated that Male had a population of over 70, 000 people. Census 2006, conducted very recently, indicates that now Male has a population of over 104,000 people. More strikingly, the latest census showed that while the population in Male rose by 5 percent, the population across most of the atoll communities actually declined.

The VPA-2 says that the average household incomes in Male rose 100 percent and in the atolls by 50 percent. “Over the period, 1997-2004 average per capita household incomes in the atolls increased by about 50 percent and in Male’ they almost doubled. The average increased in all regions – whether measured by the mean or the median,” it says.

But with the population growing so rapidly the cost of living has become unbearable in Male. The monthly earning of an average family is inconsistent with the total expenditures that they would have to normally bear. A lot of people in Male live in rented homes or apartments, and the cost of housing are exceptionally high. For this reason, only very few families could afford a separate apartment or a house in Male these days, and many families would share a crowded home or an apartment with the others. In the islands, housing has not been the problem. But, lack of jobs and various social and economic activities result in emigrating to Male.

Reducing the social and economic disparities between Male and the atolls was always a major policy of the government, but in reality, this gap has only widened over the years. Now, the government may be trying to make progress, by expanding the economic benefits to the atolls. In Addu atoll, where the population has been largely affected—and disgruntled—because of lack of meaningful economic activities, the government is now trying to boost economic benefits as quickly as possible.

Most noticeable is the effort now being made to kickstart tourism in the atoll. But a lot of people are not sure whether they would immediately move back to the atoll. Their main concern is the standard of education in the islands which are obviously poorer compared to in Male. They say, even if they could now get an equally paying job back in the atoll, they simply do not like to shift their children to a place where the education is at a much lower standard.

The VPA-2 clearly says that Maldives made successes in eradicating poverty during the past seven years. But the same report also says that crowding in Male has actually increased the vulnerability of the population. It is a wise move on part of government that it has at last decided to expand serious economic activities in the atolls. But the real benefit from these new policies would be slow to take effect if other, social benefits are being not expanded hand in hand.



## **If Only...**

06 June 2006

### **The Sad Plight of Women**

By Aishath Ahmed

I strongly believe that readers aren't unaware of what I'm about to share with you. It's nothing new; the usual lament that we hear from housewives. Yet, it fascinates me how these women are able to cope with such situations. I would like to highlight here, some stories related to me by the people who have experienced it. Only the names have been changed to protect the identity of those concerned.

Suza is a housewife with two children who lives in Male. She did work for the government before her marriage but gave up the job to spend her full time caring for her children. She says that her husband, who is quite well off, treated her like a queen and spared no expense to keep their family happy. That is, until her husband married someone else. It was then that Suza realized how hard life could get. Before her husband married another woman, Suza used to be able to manage her house keeping with money leftover for the next month. Once her husband got a second wife however, things changed drastically and she only got a monthly income of just Rf 500 from her husband to manage everything, including the expenses for the children. Rf 500 as anyone who lives in Male could tell just doesn't go too far. It became humiliating experience for her to ask the husband for more money every other day.

Seema is a working mother and her children are all grown up and self-dependant. The problem was that before her children grew up Seema had to support her family all alone on what she made while her husband didn't contribute at all. His job remained a mystery as was what he got paid. Seema has never seen any of the money that her husband's 'business' has earned him although he insists that the 'business' is doing well.

Liz is happily married and has three kids. Her husband is very rich but insists on giving her only enough money to do the daily chores needed to be done around the house. If she needs more money than the amount given to her to cover the daily expenses then she has to call her husband and wait for him to bring home the money. As is a usual occurrence, Liz too had a job before she got married but gave it up to care for the kids.

Rania is the mother of two kids and does not work at a job. Her husband does well enough and Raniya is given is given a budget of Rf 500 each month. If the money runs out and she asks for more money, she is questioned as to what she did with it. As with Liz and the others above, Rania too had a job before she got married and had kids. She sacrificed her job in order to spend a ll her time with her children.

These are just some of the situations women are faced with in their everyday life. The common theme running through all their stories is their dependence on their husbands to provide them with the money they need to live a happy life. Despite (in most cases) the husband being pretty well off, they seem oblivious to the fact that the amount of money that they give to their wives to take care of all the household expenses seems woefully inadequate.

It seems that husbands very often forget that the price of everything is constantly rising. If the wife doesn't pay attention to the prices of things that she purchases, by the time she gets home she will wonder whatever happened to all the money her husband had given her. She will wonder how she will ever be able to explain what happened to all the money and maybe wonder if she should list down all the items she bought. The thing is, even if the price of a particular item has gone up the wife will still have to buy it if it is an essential item.

What the husbands forget to realize is that most woman tend to feel guilty and



responsible for the money she spends on housekeeping. A woman feels ashamed when the husband repeatedly asks her how she could run out of money so soon. Some woman try hard to forget her husband's comments and carry on with their housekeeping duties, while others feel offended and get angry.

A woman in such a situation feels lost, having no money to call her own and spend on lavish (or sometimes even mediocre) things that she dreams of having. The husband keeps reminding her that everything he's got is for her and their kids and never to forget that. If only the husbands would realize that no wife would spend the hard earned money recklessly and believe her instead of asking her over and over again where the money went. If only...



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## Annex 2: Report on Detained Minors

**Ismail Ahmed**

**Age: Seventeen**

Detainee reported the police arrested him on 11 April 2006 from Gaafu Dhaal Atoll, Thinadhoo Island. Detainee reported the detaining authorities transferred the detainee under house for twenty one days on 13 April 2006 .

Detainee reported the police ordered him to move away from the place at a gathering expressing their frustration against a policeman who raped a girl in Thinadhoo Island . Detainee reported he was waiting to witness what was happening when two policemen in "star force" uniform approached him, handcuffed him behind his back and then beat him back on his back with batons. Detainee reported the police literally dragged him to a police vehicle and then transported him to Thinadhoo Island police station. Detainee reported the police held him in a small solitary confinement cell which lacked ventilation. Detainee reported the police provided him with a mat as bedding. Detainee reported the police provided him with edible food. Detainee reported the police verbally abused him and refused to loosen his handcuffs. Detainee reported six policemen in "star force" uniform approached him whilst he was in the cell, literally pushed him to ground and then kicked him on his back with shod feet.

Detainee reported the police questioned him on 12 April 2006 as to whether he had participated in the gathering. Detainee reported the police removed his handcuffs and that he signed a statement on the same day.

Detainee reported the police informed him that they would transferr him under house arrest for twenty one days on 12 April 2006 . Detainee reported he signed a statement to that effect at around 01:00 on 13 April 2006.

Detainee expressed distress as he still undergoes pain on his spine due to the beatings by the police.

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**Shalim Ali**

**Age: Seventeen**

Detainee reported the police arrested him on 14 April 2006 from Gaafu Dhaal Atoll, Thinadhoo Island, from a demonstration for the rights of fishermen. Detainee reported the police released him without charge at around 23:30 on the same day.

Detainee reported he is the Thinadhoo Island Correspondent for Miadhu News and visited the gathering to get reports for the newspaper. Detainee reported he witnessed policemen in "star force" uniform verbally abusing the gathering. Detainee reported the police verbally abused him and ordered him to hand them the flag of MDP which he was carrying. Detainee reported he informed the police he would not give the flag until they ask him politely. Detainee reported he ran with the flag when the In -charge ordered the police to arrest him. Detainee reported the policemen in "star force" uniform chased him on the streets. Detainee reported ten policemen in "star force" uniform beat him with batons and shod feet. Detainee reported the police handcuffed him tightly behind his back while verbally abusing him. Detainee reported a policeman put his hands inside the detainee's pants. Detainee reported the police literally dragged him to Thinadhoo Island police station and held him in an open area.

Detainee reported the police beat him with shod feet at the police station. Detainee reported

the police provided him with edible food. Detainee reported he refused to sign the pre-prepared statement by the police and instead signed on the statement which he provided to the police.

Detainee reported his family visited the police station and requested to release the detainee. Detainee reported the police released him without charge at around 23:00 on the same day.

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**Ismail Mohamed**  
**Age: Seventeen**

Mother of detainee reported the police arrested the detainee at around on 01:30 on 12 April 2006 from Thinadhoo Island, Gaafu Dhaal Atoll. Mother of detainee reported she visited the Thinadhoo Island police station at around 02:00 on the same day and requested for a reason for the detainee's arrest. Mother of detainee reported the police refused to provide the reason for detainee's arrest and ordered her to leave the police station.

Mother of detainee reported the police visited the detainee's home on 12 April 2006 and collected the detainee's personal items and toiletries. Mother of detainee expressed deep anguish as the police arrested two brothers of detainee on the first week of April 2006 and as the family suffers both financially and psychologically due to the detainees being arrested.

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**Mueed Musthofa (Alias: Fares-Maathoda)**  
**Age: sixteen**

Brother of detainee reported the police arrested detainee on 5 January 2006 from Gaaf Dhaal Atoll Fares-Maathodaa Island from the jetty shortly after he arrived at the Island. Brother of detainee reported detainee started to run in fear when he saw the police beating people with batons and shod feet. Brother of detainee reported the police chased and arrested detainee.

Brother of detainee reported the police handcuffed detainee behind his back, verbally abused the detainee and beat the detainee with wooden batons and shod feet. Brother of detainee reported the police literally dragged the detainee to a boat and transported him to Kaadehdhdhoo Island .

Brother of detainee reported third parties informed him that the police released the detainee at Male' police headquarters since the detainee is a minor. Brother of detainee reported detainee has not yet arrived back at the island.

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**Mohamed Hammad / H.Aman**

(not yet reported, no contact)

arrested on 28 March 2006, and released on 29 March 2006 .

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**Jimah Siddiq**  
**Age: Seventeen**

Detainee reported the police apprehended him at around 01:30 31 March 2006. Detainee reported the police released him without charge at around 02: 30 on the same day.

Detainee reported fifteen policemen in "star force" uniform approached him while he and his brother were helping her sisters to paste some posters announcing the demonstration for the rights of women, outside his home and ordered him to accompany them. Detainee reported the police dragged him and his brother to a police vehicle and then transported them to Ward Police 3. Detainee reported the police verbally abused him connecting him to the Maldivian Democratic Party (MDP). Detainee reported the police held him in an open area and questioned him as to whether he was paid for pasting the posters. Detainee reported the police accused him of being paid and forced him to give false statements threatening him to hold him in a cell. Detainee reported the police released him and his brother when his family visited the police. Detainee reported he did not sign any statement.

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**Afraz Ismail**  
**Age: sixteen**

Detainee reported the police arrested him around 01:30 on 31 March 2006. Detainee reported the police released him without charge at approximately 02:30 on the same day.

Detainee reported fifteen policemen in "star force" uniform approached him while he was helping his sisters to paste some posters announcing the demonstration for the rights of women, and ordered him to accompany them to a police vehicle. Detainee reported the police then transported him and his brother to Ward Police 3. Detainee reported during the drive the police verbally abused him connecting him to the Maldivian Democratic Party (MDP).

Detainee reported the police held him in an open area for a few minutes and questioned him as to whether he was paid for pasting the posters. Detainee reported the police accused him of being paid and threatened him to hold him in a cell when he explained that he had helped the family on his own will. Detainee reported the police released him when his family visited the police. Detainee reported he did not sign any statement.

## **Annex 3: Fieldwork Report**

### **Knowledge of CRC and Status of Child Rights from the Perspective of Children and Community**

#### **1. Methodology**

Fieldwork in preparation for the NGO Report was carried out in two Atolls – Haa Dhaalu Atoll and Laamu Atoll, and in the capital, Male'. The islands chosen in each of the Atolls included islands with large populations as well as small populations, in order to get an even cross section of the population.

In Haa Dhaalu Atoll, fieldwork was carried out in three islands: Kulhudhuffushi (the Atoll capital), Nohivaram, and Hanimaadhoo.

In Laamu Atoll, fieldwork was carried out in Fonadhoo (Atoll capital), Maabaidhoo, and Dhanbidhoo.

In addition, fieldwork targeted IDPs (tsunami victims) from Mundoo and Kalhaidhoo resident in camps in Laamu Atoll Gan.

In Male' students in age groups missed from among the schools, and community leaders were consulted.

The fieldwork focused on assessing two main areas:

- i. children's knowledge and understanding of CRC, their perceptions of CRC in relation to themselves, and concerns; and
- ii. understandings, perceptions, and concerns of community leaders and parent groups in relation to the CRC.

All consultations were in focus groups. Where individual children and adults initiated further discussion of issues they find of concern, these were encouraged and is reflected in the report.

#### **2. Children's Knowledge, Experiences and Views**

##### **Age 10 to 12**

Most children from the age of 10 to 12 years in Haa Dhaalu Atoll have heard about the CRC, however none of them have read it. They have not been introduced to these articles before and have only heard about it over the television and radio.

In Laamu Atoll Maabaidhoo, when asked whether they have heard about CRC the children gave a unanimous NO. But there were some students who said that they know this convention exists but have never heard a single article. None of the displaced children living in camps in Laamu Atoll Gan appeared to have ever heard of CRC or seen any documents. Even through television / radio children were not very familiar with the topic.

When discussed about article 2 quite a lot of children mentioned that there is discrimination though some says that it is not done on purpose. Most children agreed that they have the rights mentioned in CRC. However, some children mentioned that there are children working in some shops and are not paid for their work (article 32). All children mentioned that

children with disabilities are not given the opportunity to study at school or at home (article 23). They mentioned that disabled children are discriminated and some said that they tease them. Even though there are children with disabilities in the community these children are not given the special education they require. One reason is they don't have the facilities and on the other hand some parents don't feel that it is important to teach children with disabilities. One such remark was that, why do you need to teach them when they can't do any work?

In Laamu Atoll Gan camps, the children were not very familiar with the opportunities available for children with disabilities and other disadvantage groups. They mentioned about one person whom they call "mammanu" (dumb person) saying that it's very funny to tease him. But they didn't go into explanation. (Later, it was found out that the person mentioned is a flasher.)

Most of the children were unable to differentiate between rights, needs and wants.

As children reach puberty they lack general information about puberty and the changes they experience during this period. As told by these children their parents never talk about the subject openly and majority of the children get information from friends. They themselves are not comfortable to discuss these issues with elders, especially their parents. The topic was not included in school awareness programs.

When girls and boys were asked separately about the topic they still mentioned that they know very little and would like to more. Most of the issues they discuss with their peers.

All the children are aware that drugs are an issue in their community and few of these children's have witnessed people using drugs. However from the discussion it was understood that some children refer to smoking as taking drugs.

When children were asked about the government responsibilities (article 4) they mentioned that the government has fulfilled their duties, giving examples they said they have a jetty, schools and a regional hospital.

When discussed about Article 15 quite a lot of children mentioned that most of the children do not get the opportunity to choose their own friend. As they mentioned, even though they choose their friends there is a lot of pressure from parents, elders and some times from neighbours, asking them to leave a certain friend. Most of the time this happens due to a rumour, they have heard about this certain child.

When discussed about Article 17 some children mentioned that even though they have computers at home they rarely get the opportunity to touch them because they are "children" and the elders always think that computer would crash down if they touch it.

Though Article 34 was difficult to discuss we managed to get some information from the children. Even the children of this age group has heard some stories about child abuse and kept on pointing fingers. In most cases the parents did not believe them and in cases where parents believed them nothing much was done.

Children mentioned that there is a teacher who hits students; however this is not very common. Even though these things happen rarely, they never report it to office or to their parents (article 37).

A majority of the children said that the adults do not involve them when they make decisions (Article 3).

School services are available for all children, but it was mentioned that there are few children who are not going to school either because their parents feel that they are bad children and is

not studying or some parents not wanting to send their children. Even though it is not common in Mundoo camp many children in Kalaidhoo camp is not sent to school. As informed by some elders this is due to political reasons.

In Laamu Fonadhoo, some children expressed that the home environment is not suitable for studying. They also expressed that they get distracted by many things when studying at home (eg: disturbance from younger sister or brother, people talking too loudly inside the house, no separate space to study, its boring to study at home).

#### Age 13 to 15

With reference to article 3, all children mentioned that elders do things according to their needs. As their families provide them with basic needs, teachers teach well in the class, parents fulfill their duties. As for government role, children mentioned that they get better facilities compared to other islands in the region such as a good school, regional hospital etc.

Many children mentioned that they do not get opportunity to gain information through computer or internet as these services are very limited in their islands. There were cases where computers are restricted to children as it is perceived as they would break the computer. Children also mentioned that in almost all houses their parents watch Hindi Dramas and is sort of addicted to it. This reduces their chances of watching programs beneficial to them such as dramas (Appropriate to their age), news and other informative channels. (Article 17) Many children mentioned that the party system is also influencing their life as such many elders at home want to watch some political stuff and children are mostly restricted of asking information from the parents.

In Kulhudhuffushi it was mentioned that there are lots of students from other islands who have come to the island to study. In many cases these children are not treated well and have to play dual role of a worker and a student at home. Many parents do not come to visit or check on their children regularly

Physical abuse of children is said to be very rare in the community, however night time fights are very common in the island. And often children participate in these fights (14- 18 year olds). Using addictive drugs is somewhat common for this age group. Often initiated by elders, stealing is also common. Sexual abuse seemed to be common but normally children hide this from the parents and are rarely communicated. This often leads to emotional and behavioral disturbances among the children. (Article 32 to 34).

In Laamu Maabaidhoo, children were very eager to discuss about the Article 37 saying that there are parents who give severe punishment for children. Giving examples they said that there are parents who put the children on chains and one mentioned that some parents still use ekel brooms to hit children. One child pointed to his forehead showing off a scar saying that he got it from his father.

Normally children are not discriminated based on their gender, however fat, thin, fair and dark is an issue and children have experienced different treatments depending on these traits. Children born out of wedlock are pointed fingers at, and children who are fat are called rude and hurtful nick names.

Health facilities at the island are considered to be good as in such that they receive medical care for specific diseases and illnesses. Some children mentioned that there are few parents who cannot get the health facilities due to their low income. Some people from the atoll have to travel to capital Island to get this service and in case of emergencies it may take some time to get the required health assistance. Health facilities for children with disabilities are very limited. However some children mentioned that physiotherapy is available. They receive adequate care from their parents and often eat healthy food such as fruits and vegetables.



Even now boys eat first in almost every house hold. Girls do the most domestic work. Friday is the only day where the whole family gets to sit together for lunch. Even during this meal boys and men eat first. When questioned about this one boy said that “boys come home from the Friday prayers and girls don’t go for the prayers. So boys should eat first and girls have to wait till they finish”. When asked what would happen if all the food is gone by the time boys finish eating, he was very quick in responding, “The women can cook again.”

In Laamu Maabaidhoo, children complained that many parents refuse to allow children to go and play, fearing that the children might get hurt if they send them to play. Some children said that even if they lie down in the afternoon to take a rest their parents would object it. Some children say that they get the opportunity to participate in Extra Curricular Activities organized by the school.

#### Age 16 to 18

Even though this group of children has heard about the CRC they have never read it or heard the articles. Most of the children are aware of what goes around in their community and felt very free to talk about different issues without any hesitance.

When the articles were discussed individually some of them said that they were surprised to know that such articles exist in CRC. They said that they are not sure if the CRC obligations are fulfilled, since they feel that they have never been listened to and rarely asked for an opinion. Most of the children mentioned that it is always elders who make the decisions and there opinions are of no value. Reason is they are children and adults always know what is best for the child.

After reading through the CRC they said that the only thing that has been done so far as in the convention is Article 7 and 9.

Even though article 3 says that every parent should think of the best interest of the child in most of the cases it does not happen that way. One such example given by the students was divorce. When parents decide for a divorce they never think of the children. By the time the parents realize the impact on the children it’s much too late. They feel that they should also be informed of such decision because they believe that they are old enough to understand.

Even though it is clearly mentioned in article 33 that children should be protected from harmful drugs and from drug trade, children are involved in this activity. From the discussion held with these children it was revealed that children as young as 14 years are involved in this activity. Even though children might not be involved in drug trade adults are using children for other activities. One such example is stealing. It was mentioned that children are used to steal bicycles and there are people who pay them for the stealing.

Even though article 35 is a very sensitive issue and an issue which is very difficult to discuss openly in a country like Maldives, the children opened up. Majority of the girls interviewed in this group agreed that somehow or the other they have experienced it or one of their friends have experienced it. The main problem is that they are not comfortable to discuss these issues with their parent’s since they don’t have a very close relationship.

When discussing Article 25, some children in Laamu Atoll Maabaidhoo expressed anger. They talked about the ill treatment given to some children who lives in Male’. One child said that if their parents have any other option nobody would send their child to Male’ to become a slave at some stranger’s house. Discussing further on this issue one child mentioned that these children who study in Male’ hardly find the time to study since they are overloaded with work. And most of these children don’t get the opportunity to participate in any extra-curricular activities organized by the school since their guardians would not allow them.

Anyhow children stay in Male' because it is the only opportunity where they could acquire further studies, so they are helpless, was the opinion of majority of children in islands.

Some children mentioned that those who stay in Male' with different families face the problem of sexual abuse. One such story told by one of the student was that the owner of the house kept on harassing one of there friend who was in Male' to study and this girl didn't have the courage to tell anyone. She repeatedly told her family to take her away from that house but she had to be there for almost three years and be constantly alert to the unwelcome sexual advances.

Focus group in Laamu Fonadhoo identified that disabled people are deprived of there rights, some times girls are discriminated, and in schools some teachers favour certain students. Even students from other islands are teased and bullied. Even in the family parents favour certain children. Some times it could be the youngest in the family and in other cases it could be the oldest.

Do we have child labour in Maldives? If we say that children are any body who is under 18 than we have child labour in this country. Almost every child present at the meeting mentioned that children studying in Male' are working as slaves just for the sake of education. They don't get time to rest or time to study. Even in some of the islands children of a very young age are involved in domestic work.

They also believe that the government has not taken the full responsibility of informing the children and the community about the CRC. They mentioned that if the government has been responsible they would be aware of the CRC by now.

### **3. Views from the Community: CBOs and Community Leaders**

#### **Understanding of CRC/HR**

Majority of the people who represented the organizations have not seen the convention before, but were aware of the Convention and children rights from TV and Radio. A radio quiz on the CRC broadcast the previous Ramazan was mentioned as the main source of their knowledge.

Some participants in the focus groups in Laamu Atoll mentioned that, in Maldives, human rights is only brought up with regard to criminals.

“We don't understand what human rights are? Rights of prisoners are well protected. What about the rights of rest of the community? What about women and children. Do we have any rights?”

#### **Education**

In Haa Dhaalu Atoll Kulhudhuffushi, the school system is considered to be better compared to other islands in the atoll. The difficulty they face is there are some students who are unable to study up to O'levels and fail in all subjects. There are not many opportunities available for those students and unemployment rate is going higher. The students are not competent enough to deal with the stress that arises after leaving the school. They are then expected to earn and provide for the family and for themselves.

Politics has become an issue to the students, especially the edicts of Adhaalath party. It is influencing the daily life and sometimes every decision a person is making. Many parents accept that studying at school are not important, and believe that in schools, children are

taught things that are against Islam. One example mentioned was: drawing and singing songs in front of flag. This belief was leading to students dropping out of the school aystem.

In Laamu Fonadhoo, it was mentioned that not all children get the opportunity to go to school. There are a few children who do not go to school due to parental neglect, behavioral problems or because they have some form of disability even if it the disability may not interfere with studies.

They are still not been able to start a proper pre school for the children in the island and have been conducting a pre school by the WDC, however they do not have trained people to conduct the classes. They are still not very sure how the new pre school would work because they do not have much trained teachers in the island and the government would not provide any services since Pre School is considered as community based program. They also complained that schools in Male' get lots of support form the government and that it is because they in the atolls they do not receive this assistance.

Laamu Maabaidhoo community too identified the issue of not having a pre-school. They said majority of the students who join grade one are illiterate because of this. The Assistant Headmaster mentioned that even though some parents try to teach the kids by sending them to tuition they are not up to standard when they start grade 1. The Headmaster mentioned that if it is a right of the child to get education than it should start from pre-school and unless they get a proper schooling they would not be able to cope in the 1<sup>st</sup> grade.

There were lots of complains about the qualification of the primary teachers. There is not a single trained teacher teaching the primary students in Laamu Maabaidhoo. All the teachers are students who left grade 10 and most of these students who work as teachers has failed their O'level exams.

**“The children could study up to grade 8 in the island.  
The standard of a grade 8 student will be the standard of  
a grade 1 student in Male’.”**

The teachers in the group mentioned that they also have to follow the same educational scheme as in Male' but the island school doesn't get enough resources to prepare the teaching aids. The standard of the teachers are also very low.

There is no proper learning environment in the island school. There are no supervisors, headmasters to observe the performances of teachers. The teachers conduct the classes any way they wish to due to these reasons.

The group also mentioned that it is very often found that parents punish children by hitting somewhere or hurting them in some way. The group also believed that these types of issues can be improved by making parents more aware of things.

#### **Drug Abuse**

In Haa Dhaalu Kulhudhuffushi, as in most major urban centres, drugs among youngsters in very common. It was said that the main issues that exist in the society is lack of parental awareness.

The island chief of Laamu Maabaidhoo mentioned that even though drugs is not a very big issue at present he feels that it could become very big problem in very near future if they do

not take precursory measures now. He mentioned that there are 4 people whom they know and they are very unhappy to see others hanging out with them.

### **Health Care**

Even though the infant mortality rate is not very high on average, for the people of Laamu Atoll Maabaidhoo this is a very big problem, according to one Community Health Worker. She said that because they don't have a proper hospital and facilities such as scanning are not available, almost every pregnant woman would visit Gan Regional hospital every month for a check-up. This is expensive but it is the only option available. She said that by the time they give birth each and every couple would be in debt because most of the people borrow money. She said that in two cases the babies died on their way to Gan was confinement. The CHW said that it is very difficult for them to treat high risk patients because they don't have the proper facilities.

In Laamu Fonadhoo, they were extremely unhappy about the health services in the island. It was said that since there is a hospital in the same land as Fonadhoo they are expected to go to L.Gan hospital. However the services in this hospital is also not satisfactory because people have to go to Male' hospital sooner or later to cure the same illness. For the Fonadhoo people it is less costly to go to male' than traveling to the Gan hospital where the taxi charges a lot of money. Even for the slightest thing they might have to go to the Gan Hospital because the health post would not be open all the hours.

Vaccine services are provided to children every month. Some women from WDC mentioned that they have experienced cases where the child is delayed giving vaccine till the date arrives. However it was agreed that vaccine is now widely covered in all parts of the country, but they are still hoping that the services would be as convenient as in Male'.

Reproductive health is a priority area in the country now. However all women mentioned that they have no place to go for information. There is only one gynecology doctor in the hospital and she is often fully booked and don't have much time to spent with the patient. They were asked to consult the doctor quite often and have to go on a long journey and only consultation they receive is the doctor would check their weight and belly size. And no more information is given. There is a rumor that the scan machine does not work properly, because there have been incidents where the scan does not show the exact information even when scanned several times. The road they travel is not very safe for a pregnant mother and they are hoping that things would change in near future. They also mentioned about the doctor in Fonadhoo who is actually been sent from another island because the service provided by the doctor were not satisfactory. It was mentioned that the general awareness of the public regarding health issues is very limited and at the island level they do not get enough opportunity to seek these information.

No opportunity is provided to children with disabilities in the island and also at atoll level. According to WDC all the services are centrally based and no organization gives priority to provide services for people from the islands. As they know there are NGO's and government organization working for the betterment of children with disabilities how ever so far no priority has been given to this island. According to them there are several children who need special education or assistance.

### **Child Sexual Abuse**

When the issue of the child abuse was raised people were a bit hesitant to talk about it. At first they gave a gesture in such a way that it does not happen in this island. But when one of them asked the members of the WDC to talk about it one lady said that even though it's rare it does happen in this island.

She mentioned about two or three recent cases saying that in all three of these cases only was the victim given justice. Even then the victim's family objected her informing the is sue to the authorities saying that it would bring a very bad name to the family and it would ruin the relationship of the two families since the man was a very close family member.

#### **4. Tsunami-Displaced Persons: Issues in the Camps**

NOTE: Fieldwork was in camps in Laamu Atoll Gan for Displaced People from Mundoo and Kalhaidhoo,

They expressed relief that a large amount of people who were violating the rules and regulations had been taken from the camp by the responsible authority. However they did not see this as a permanent solution if they are not rehabilitated when they come back to the society.

It was mentioned that they still don't feel very safe in the camp. It is a relief that a large amount of people who were violating the rules and regulations are now been taken from the camp by the responsible authority. However this would not be a permanent solution if they are not rehabilitated when they come back to the society. One girl shared her experience, that there were several cases that a man tried to get into her bed. The rooms are separated by partitions and have a gap between the partition and the roof. This makes it easy for anyone to go from room to room.

There are considerable amount of parents with psychological disturbances and giving harsh punishments for disobedience is some what common in the camp. Especially those students who are not living with their own parents are ill treated.

Sexual abuse is not very common, however some children explained that they have witnessed children who have been sexually abused and that the perpetrators are usually relatives or step parents.

## Annex 4: Profiles



### ***CARE SOCIETY***

CARE SOCIETY is a non-government organization registered in Republic of Maldives on 09<sup>th</sup> November 1998.

### ***Objectives of Care Society***

1. Create equal rights and equal opportunities for disabled people to actively participate in the community.
2. Promote rights of women and children and conduct awareness programmes.
3. Assist and outreach the affected people during the times of National Disasters such as Tsunami.
4. Capacity building of NGOs, CBO's and community groups

### ***Current Activities of Care Society***

1. Care Development Centre, 'Care Development Centre' (CDC) is the first rehabilitation centre in the Maldives for disabled people, established on 1<sup>st</sup> August 2001. Services provided by CDC include education, independent living skills, life skills, vocational training, socialization skills, and parents' awareness programmes.
2. Care Parents Forum (CPF) is a non governmental organization, formed on 4th December 2000. CPF comprises of the members of families of disabled people.
3. Care Research and Resource Centre (CRRC)  
Conduct Research, studies, printing awareness publications on various issues to raise the living standard of the Maldivian citizens.
3. Care Graphics Studio  
Care Graphics Studio (CGS) is a branch of Care Society, established on 28th April 2003 by a group of motivated young people working for the betterment of disabled children and people.
4. Community Based Rehabilitation (CBR)

With assistance of UNICEF Care Society has initiated CBR programmes in two Atolls, Addu Atoll and Gaafu Dhaalu atoll. CBR maps and identifies resources available within the atolls and island communities. The CBR programmes are managed by island CBR core groups.

#### 5. Care Social Club

Care Social Club was formed in 2001 by an Australian youth ambassador to provide recreational equal opportunities for disabled people and their families. Swimming classes, aerobics and badminton classes were run by the Social club.

### ***Tsunami related activities***

- Care Society was involved in the relief activities
- Worked in 2 atolls Laamu and Gaafu Alifu Atoll in cash for work programme funded by Oxfam, UK. Target beneficiaries included 583 men, 758 women.
- Currently working on four atolls with support from ActionAid International, Gaafu Alifu, Laamu, Raa and Baa atoll on 15 islands. The project has following components 1. Addressing psychosocial needs 2. Agricultural inputs a) home gardening, building a nursery and assisting farmers by providing technical support, seedlings and fertilizers etc. 3. Pre-school development by introducing child friendly and play based learning method 4. Construction of additional classes in 2 pre-schools in Raa atoll (Hulhudhufaar and Ungooaar)
- 5. Capacity building of CBOs and NGOs 6. Disaster preparedness
- Trying to establish an NGO platform – Maldives NGO Federation, process underway
- Care Society instigated to hold the first National conference on civil society charter in the Maldives. The Civil Society conference on Tsunami recovery efforts held from 24<sup>th</sup> -26<sup>th</sup> June developed a Charter calling the agencies working in the tsunami affected islands to pay attention to the concerns raised in the charter.
- Care Society held a workshop on International Human Rights standards in Male' from 28<sup>th</sup>-29<sup>th</sup>.

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Hama Jamiyya, is a civil society organization initiated by Ahmed Muizzu, a senior lawyer, and Aishath Velezinee, a journalist. Registered on 9 June 2005, Hama Jamiyya is the premier human-rights focused civil society organization in the Maldives.

Open for membership, Hama Jamiyya at present has over 100 registered members in the Maldives.

A non-partisan civil society organization, Hama Jamiyya actively promotes human rights, in its broadest sense, for all; and advocates for a rights-based approach on issues of governance, justice, social and economic development etc. The vision of Hama Jamiyya is to create a just society in the Maldives – a society which is tolerant, values diversity, respects human rights, and justice prevails.

#### **Main Aims and Objectives**

- To promote human rights - civil and political rights, social, economic, and cultural rights - with a special focus on women, children, people with special needs, and other disadvantaged groups.
- To advocate Maldives joining international human rights instruments, and upholding international standards on human rights.
- To advocate a rights-based approach on all issues
- To promote justice and inculcate respect for the law
- To ensure people – the masses - are not forgotten in the chaos of politics

#### **Activities**

- Monitoring and reporting on human rights in the Maldives
- Documentation of human rights violations
- Lobbying and advocacy
- Promoting human rights awareness through public lectures and discussion forums
- Providing legal advice/assistance in cases of gross human rights violations/injustice

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