



Convention on the Rights of the Child

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Committee on the Rights of the Child

Seventy-first session

11–29 January 2016

Item 4 of the provisional agenda

Consideration of reports of States parties

List of issues in relation to the fourth and fifth periodic reports of Maldives

The State party is requested to submit in writing additional, updated information (10,700 words maximum), if possible before 15 October 2015.

The Committee may take up all aspects of children's rights set out in the Convention during the dialogue with the State party.

Part I

In this section, the State party is requested to submit its responses to the following questions.

1. Please provide updated information on activities undertaken to implement the recommendations contained in the Committee's previous concluding observations (CRC/C/MDV/CO/3) on the combined second and third periodic reports of the Maldives that have not yet been implemented or fully implemented, in particular those relating to the State party's reservations (para. 10), coordination (para. 17), data collection (para. 23), awareness raising and training (para. 26), and child participation (para. 45). Please explain the obstacles encountered for their implementation and how the State party envisages to address them.
2. Please inform the Committee about the steps taken to finalize and adopt the Child Protection Bill and the Juvenile Justice Bill.
3. Please provide detailed information on any children sentenced to death who were executed over the reporting period or are currently on death row. Please explain how the 2014 Regulation on Investigation and Execution of Sentence for Wilful Murder, which reportedly allows for children as young as 7 years to be sentenced to death for the offence of intentional murder, has been implemented.
4. Please report on the measures taken to design a comprehensive policy on children, backed up by national plans of action, adequate funding and a coordination mechanism.



5. Please provide information on the measures taken to strengthen the monitoring role of the Human Rights Commission of the Maldives as regard the Convention and to bring the Commission in full compliance with the principles relating to the status of national institutions for the promotion and protection of human rights (Paris Principles), especially as regard its independence.
6. Please provide information on the measures, including legislative, taken to eliminate discrimination against girls, children born out of wedlock, children with disabilities, non-Muslims, and lesbian, gay, bisexual, transsexual and intersex children. Please also indicate whether the State party is considering repealing the provision of the Family Law, which subject girls to the will of their paternal guardians when it comes to entering into marriage.
7. In view of article 10 of the Constitution of the Maldives, and with reference to the previous recommendation of the Committee (CRC/C/MDV/CO/3, para. 48), please clarify how the State party ensures children's freedom of thought, conscience and religion.
8. With reference to article 35 (a) of the Constitution and the previous recommendation of the Committee (CRC/C/MDV/CO/3, para. 55), please indicate the measures taken to put an end to torture and the inhuman, cruel and degrading treatment inflicted on children. In particular, please clarify whether the State party intends to repeal the provision contained in the Regulation on Conducting Trials, Investigations and Sentencing Fairly for Offences Committed by Minors, according to which children can be flogged for having committed certain "*haddu*" offences, for having had consensual same-sex relations or for having been the victims of sexual abuse. Please also provide updated information on the anti-corporal punishment campaign that was planned for 2013, including its results.
9. Please inform the Committee about the results of the assessment of the child protection system and any measures taken on the basis of the results.
10. Please inform the Committee of the measures taken to ensure the safety of children on the Internet and about awareness programmes in schools to address the issue of pornography and cyberbullying.
11. Please provide information on the measures taken to investigate cases of police misconduct allegedly committed against children during the protests that ensued after 7 February 2012, and the results of such investigations. Please provide information on the measures taken to protect children from gang-related violence and deaths and from involvement in gang-related activities.
12. Please provide information on the implementation of the Special Procedures for Perpetrators of Child Sexual Abuse Act (Law 12/2009). Please also inform the Committee about the measures taken to increase the reporting and prosecutions of perpetrators of child sexual abuse, to rehabilitate and reintegrate sexually abused children and to prevent their re-victimization.
13. Please inform the Committee about the measures taken to prohibit female genital mutilation and to hold accountable religious leaders who promote this harmful practice. Please also provide detailed information on the measures taken to prevent child marriages.
14. Please provide the Committee with updated information on the implementation of the action plan to create awareness among the public and legislators of the challenges that unmarried pregnant adolescent girls face, and on the reform measures planned. Please also indicate the measures taken to provide adolescents with sexual and reproductive health information and services.
15. Please inform the Committee about measures taken to provide access to adequate health care for children living in rural areas and to mental health care services for children and adolescents, and on the efforts to prevent child mortality caused by communicable

diseases and lack of intensive care. Please also report on measures taken to implement the Drug Act (17/2011), including its provisions on rehabilitation and reintegration services for children.

16. Please indicate the steps taken by the State party with a view to making primary education compulsory.

17. Please indicate the measures taken to develop an inclusive education policy and to address the discrimination faced by children with disabilities in the school setting.

18. Please inform the Committee about the measures taken, including allocation of sufficient human and financial resources, to strengthen the labour inspection system, to train labour inspectors on detecting and addressing cases of child labour, and on measures taken against those who exploit children. Please indicate whether the State party intends to publish a list of hazardous occupations prohibited for children.

19. Please inform the Committee about measures taken to implement the Anti-Human Trafficking Act (12/2013), in particular the adoption of subsidiary laws and guidelines for its implementation. Please provide detailed information on the investigation of child trafficking related cases and the provision of prevention, protection and rehabilitation measures for child victims.

20. Please provide information on the measures taken to raise the age of criminal responsibility to an internationally accepted standard, to train judges about juvenile justice standards and to ensure that detention, including pretrial detention, is used only as a last resort and that no child can be condemned by law to death or receive life sentence with or without parole. Please also provide information on whether the State party plans to explicitly ban the imposition of life sentence without the possibility of parole for offences committed by persons below the age of 18. Please inform about the conditions in juvenile justice facilities and about rehabilitation and reintegration programmes for children in conflict with the law.

21. With reference to the Committee's recommendations on the implementation of the Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography (CRC/C/OPSC/MDV/CO/1), please provide further information on the progress made towards adopting a comprehensive national plan of action (para. 12), dissemination and training (para. 14), bringing the Penal Code into full compliance with articles 2 and 3 of the Optional Protocol (para. 25), and ensuring that child victims of any crimes under the Optional Protocol are not criminalized (para. 30).

22. With regard to the Committee's recommendations on the implementation of the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict (CRC/C/OPAC/MDV/CO/1), please report on the measures taken to criminalize violations of the provisions of the Optional Protocol regarding the recruitment and involvement of children in hostilities and on considering providing extraterritorial jurisdiction over acts contrary to the Optional Protocol (para. 11), as well as on measures taken to establish an identification mechanism for asylum seeking and migrant children (para. 13).

Part II

In this section the Committee invites the State party to briefly (three pages maximum) update the information presented in its report with regard to:

- (a) New bills or laws, and their respective regulations;
- (b) New institutions (and their mandates) or institutional reforms;

- (c) Recently introduced policies, programmes and action plans and their scope and financing;
- (d) Recent ratifications of human rights instruments.

Part III

Data, statistics and other information, if available

1. Please provide information on the consolidated budget, disaggregated by budget item, covering the past three years, in terms of resources allocated for the benefit of children and adolescents. In addition, please indicate what percentage of the total national budget and the State party's gross domestic product each budget item represents. If possible, please provide budgetary information disaggregated by age, sex, disability, socioeconomic status, ethnic origin, rural/urban place of residence and geographical location.

2. Please provide data, disaggregated by age, sex, disability, socioeconomic status, ethnic origin, rural/urban place of residence and geographical location, for the past three years on the number of children and adolescents who have been victims of abuse and violence, while providing additional information on the type of violence, for example, torture, sexual violence, corporal punishment, domestic violence and street violence, and the type of assistance afforded to child victims, the compensation received and the follow-up carried out, including the trials of perpetrators and the sentences handed down in the State party. Where possible, please also provide information on the profile of the offenders.

3. Please provide data, disaggregated by age, sex, disability, socioeconomic status, ethnic origin, rural/urban place of residence and geographical location, for the past three years on:

- (a) Infant mortality;
- (b) Maternal mortality;
- (c) Undernutrition;
- (d) Children and adolescents living with or affected by HIV/AIDS (specifying cases of mother-to-child transmission);
- (e) Mental illness;
- (f) Vaccination coverage;
- (g) Child and adolescent pregnancies;
- (h) Early and forced marriages;
- (i) Child and adolescent suicides;
- (j) The number of child and adolescent drug users in general and those enrolled in drug treatment centres and undergoing rehabilitation.

4. Please provide data, disaggregated by age, sex, disability, socioeconomic status, ethnic origin, rural/urban place of residence and geographical location, for the past three years on the number of children and adolescents who:

- (a) Have been abandoned;
- (b) Have been separated from their parents;

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- (c) Are living in institutions;
- (d) Have been placed through *kafalah*.
5. Please provide data, disaggregated by age, sex, disability, socioeconomic status, ethnic origin, rural/urban place of residence and geographical location, for the past three years on the number of children and adolescents with disabilities who:
- (a) Are living with their families;
- (b) Are living in institutions;
- (c) Are attending mainstream primary schools;
- (d) Are attending mainstream secondary schools;
- (e) Are attending special schools;
- (f) Are not attending school;
- (g) Are receiving treatment as a part of special physical or mental health rehabilitation programmes;
- (h) Have benefited from Government's welfare system.
6. Please provide data, disaggregated by age, sex, disability, socioeconomic status, ethnic origin, rural/urban place of residence and geographical location, for the past three years on:
- (a) School enrolment and completion rates, as percentages of each relevant age group in preschool education centres and in primary and secondary schools;
- (b) The number of students in each category of school (public schools, State-subsidized private schools, private schools);
- (c) The number of students in home-based education;
- (d) Examination results for each category of school referred to in the previous subparagraph;
- (e) The number and percentage of dropouts and repetitions, specifying the underlying reasons, if known;
- (f) The teacher-student ratio;
- (g) The number of qualified caretakers in institutions supporting children under State care.
7. Please provide data, disaggregated by age, sex, disability, socioeconomic status, ethnic origin, rural/urban place of residence and geographical location, for the past three years on the number of children and adolescents who are:
- (a) Engaged in child labour, providing information broken down by type of work, including hazardous work;
- (b) In street situations;
- (c) Victims of human trafficking, specifying the purpose of the trafficking;
- (d) Victims of sale, specifying the purpose of the sale;
- (e) Victims of prostitution;
- (f) Victims of child pornography.

8. Please provide data, disaggregated by age, sex, disability, ethnic origin, rural/urban place of residence, geographical location and type of offence, for the past three years on the number of:

(a) Children and adolescents alleged to have committed an offence that was reported to the police;

(b) Adolescents who have been convicted, specifying the type of penalty or punishment corresponding to the offence, including the duration of any deprivation of liberty, including house arrest, police custody and prison;

(c) Children and adolescents under the age of 18 who have been tried and sentenced as adults;

(d) Detention centres for children and adolescents in conflict with the law and their capacity;

(e) Adolescents and young adults held in such facilities and the number of adolescents held in adult facilities;

(f) Children in pretrial detention and the average duration of such detention;

(g) Cases of abuse and ill-treatment of children or adolescents occurring during arrest and/or detention.

9. Please provide the Committee with an update of any data in the report that may have been superseded by more recent data collected or other new developments.

10. In addition, the State party may list areas affecting children that it considers to be of priority with regard to the implementation of the Convention.
